

Minutes of a Town Board Meeting held by the Town Board of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, on Tuesday, October 21, 2003, at 7:00 p.m.

**Present:**

Robert Kozakiewicz,	Supervisor (arrived 8:07 p.m.)
Edward Densieski,	Councilman
James Lull,	Councilman
Barbara Blass,	Councilperson
Rose Sanders,	Councilperson

**Also Present:**

Barbara Grattan,	Town Clerk
Dawn Thomas, Esq.,	Town Attorney

(Councilman Lull called the meeting to order and the Pledge of Allegiance was recited)

Councilman Lull: "-- felt he couldn't miss and so he'll be here shortly. Okay. Need an approval for the minutes of October 7<sup>th</sup> and the Special Board meeting of October 14<sup>th</sup>. Somebody like to move that, please."

Councilwoman Blass: "So moved."

Councilman Lull: "And seconded?"

Councilwoman Sanders: "Seconded."

Councilman Lull: "Moved and seconded. All in favor?"

The Vote (Collective response): "Aye."

Councilman Lull: "Opposed? Okay. Madam Clerk, Reports, please."

**REPORTS:**

Sewer Department	Monthly discharge monitoring report for September
Juvenile Aid Bureau	Monthly report for September
Open Bid Report	Sunken Pond Estates Section 3 which was opened on October 14 <sup>th</sup> - 5 bids were received

Barbara Grattan: "That concludes Reports."

Councilman Lull: "Applications."

**APPLICATIONS:**

Parade Permit

Jamesport Fire Department  
October 31<sup>st</sup> from 7 to 7:30 pm

Barbara Grattan: "That concludes Applications."

Councilman Lull: "And Correspondence."

**CORRESPONDENCE:**

Richard Wines

Regarding the commercial  
moratorium

Esseks, Hefter & Angel

Regarding the master plan

Barbara Grattan: "That concludes Correspondence."

Councilman Lull: "Okay. Committee reports. Anybody?"

Councilman Densieski: "Yes. Couple things from the Handicapped Committee. The Suffolk County Office of Handicapped Services has a new program. It's called Talking Books Program and it's books on audio and braille and if anybody needs information on it, they can get a hold of me at Town Hall.

And, also, we established a new handicapped equipment bank and- it came from the Advisory Committee. And the Traveler Watchman did a store in the paper and due to that story, we received a large donation from the folks at Polish Town Civic Association. So I'd like to thank the Traveler and thank the people from Polish Town Civic Association. That's it."

Councilman Lull: "Thank you, Ed. Okay. Madam Clerk, would you call the first public hearing, please? The first one for 7:05."

Barbara Grattan: "Okay. And it's 7:10."

Councilman Lull: "It is now 7:10."

Public hearing opened: 7:10 p.m.

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York on October 21, 2003, at 7:05 p.m. regarding the consideration of

a local law for the addition of Chapter 40 entitled Town Attorney Litigation and Record Fees Account."

Councilman Lull: "Okay. Scott, are you prepared to address this?"

Scott DeSimone: "Certainly. This local law would provide for the establishment of an attorney escrow account within the Town Attorney's Office which would be used for purchasing index numbers, RJI's, any other court fees that are necessary when we institute litigation.

Under the current system, when there are pressing time constraints, in order to initiate litigation, we can be faced with a difficult task of getting checks from the Accounting Department. This would be like any law firm would have an escrow account to utilize funds to pay for court fees."

Councilman Lull: "So it's a directed special fee or a directed special account?"

Scott DeSimone: "That's correct."

Councilwoman Blass: "Counselor, it's my understanding also that it would cover other department's recording fees as well? They would be able to get their necessary funds from this escrow account, for example, Community Development Office?"

Scott DeSimone: "That's correct."

Councilwoman Blass: "Okay. Thank you."

Councilman Lull: "Anybody who would like to speak on this public hearing for the Town Attorney litigation and record fees account? Not seeing anybody, I call the public hearing closed at 7:12."

Public Hearing closed: 7:12 p.m.

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Public Hearing opened: 7:12 p.m.

Councilman Lull: "And being 7:12, would you read the publishing and posting for the second public hearing?"

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New

York on October 21, 2003, at 7:05 p.m. regarding the consideration of the proposed local law to repeal and replace Chapter 90 entitled Special Events of the Town Code."

Councilman Lull: "Okay. Is the- is Bruce here? He is not. Okay. This- Chapter 90 is the local law that the town has to control and-- to approve and control special events within the town. The control of these special events has gone a bit beyond what we really need to be doing and we sit up here as Town Board members using Town Board time to approve tent sales and such.

So this is a way of streamlining the process, some of which can be handled by staff and not by us. Others will have to meet certain requirements. Based on certain problems we have had with major activities. We had a horse show a couple years ago which was held without any plan in mind for parking and just about destroyed a local neighborhood. That kind of thing can be controlled as long as it's discussed ahead of time.

That's what this Chapter 90 is for. It is moving some of the simpler things that we do that we have to give approvals to, to Chapter 83 which is the parade permit code and dividing Chapter 90 into two- a minor event and a major event determined by the length of the event and the scope of the event and the attendance.

So this has been published and been discussed. If anybody has anything they'd like to say about it, it's been published as I said, by all means. Well, not hearing anybody- go ahead. Sal."

Sal Mastropolo: "Sal Mastropolo, Calverton. Who are you going to move that responsibility to?"

Councilman Lull: "Some of it will go to the police chief; 83 are now the responsibility of the police chief, that's the parade permit, and some of the things that will fall into that category will be his responsibility. There will be others- it will be the responsibility of other staff, and ultimately the responsibility will lie here, but for the minor events it will not need special- "

Sal Mastropolo: "Are they going to be able to handle it with existing staff?"

Councilman Lull: "Yes."

Sal Mastropolo: "Thank you."

Councilman Lull: "Yes. Most of the things we're talking about, Sal, are things we already do. Okay. Seeing no further inclination to speak, I declare the public hearing closed at 7:15."

Public Hearing closed: 7:15 p.m.

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Public Hearing opened: 7:15 p.m.

Councilman Lull: "The public hearing scheduled for 7:10, Madam Clerk."

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York on October 21, 2003, at 7:10 p.m. regarding the consideration of the change of zone petition of Traditional Links, LLC."

Councilman Lull: "Okay. Is there anybody here who would like to speak on this? I believe- yes, Rolf."

Rolf Koesling: "Rolf Koesling, Wading River. First of all, I'd like to ask some questions here. How many acres does this involve?"

Councilman Lull: "The actual Traditional Links- I don't know for sure. It's around 150."

Rolf Koesling: "You don't know? One hundred fifty acres?"

Councilman Lull: "At least."

Rolf Koesling: "At least."

Councilman Lull: "It's got to be at least 125 for a golf course."

Rolf Koesling: "I pulled it on the computer, download it there, doesn't say anything. Doesn't even give you much where it is. On Sound Avenue, Baiting Hollow, crossroad they don't mention, anything like- where's the exact location?"

Councilman Lull: "Exact location is at the head of Horton Avenue- right, thanks, Ed. At the head of Horton Avenue."

Rolf Koesling: "Horton or Osborne?"

Councilman Lull: "Horton."

Councilman Densieski: "Between the two."

Councilman Lull: "No. You go straight north off of Horton and you go right into it."

Rolf Koesling: "Okay."

Councilman Lull: "Okay."

Rolf Koesling: "Now. In reading it, evidently they want to put some residential cottages, teaching facility, clubhouses, and maintenance, other recreation facilities. With their zoning, their present zoning, they weren't allowed to do any of this?"

Councilman Lull: "Not all of it."

Rolf Koesling: "Not- what do you mean by not all of it?"

Councilman Lull: "You know, we really should start with Rick if he'd like to talk first. Maybe he could answer some of your questions to begin with. But I think it would be best if you, you know, keep your questions, let Rick speak. I didn't see him back there- and there are two principals back there as well, so let Rick and either one of the principals who wish to speak, speak first. Rick?"

Rick Hanley: "I think the first question was the acreage of the assemblage. It's approximately 350 acres. The property is presently in three districts: recreational district, Residential A and Ag A and the proposed change of zone would be to amend the map to show Agriculture A in the entire assemblage of the 350 acres."

The impact statement that was prepared for this change of zone in support of the change of zone listed all of the uses that were to occur on the premises and I think it's in the notice that the Clerk read in terms of the uses. A golf course or golf club is a permitted use in Ag A district and there are other associated accessory uses that are being considered as well."

Rolf Koesling: "Is this part of the original Traditional Links- when it first started off?"

Councilman Lull: "It is."

Rolf Koesling: "It is. I understand there was- "

Councilman Lull: "It is Traditional Links."

Rolf Koesling: "Pardon?"

Councilman Lull: "It is Traditional Links."

Rolf Koesling: "It is Traditional- but I mean this isn't

property they bought after they started?"

Councilman Lull: "No."

Councilwoman Blass: "It is essentially the same project, only with some modifications. But it's back before us as a result of a court proceeding."

Rolf Koesling: "There was an agreement between I understand the Town and the North Fork Environmental Council so they wouldn't build- what I read in the paper- that Traditional Links brought down, they're not going to build so many houses now. They're going to build less. Is this part of the deal?"

Councilman Lull: "There was negotiations."

Rolf Koesling: "There was negotiations?"

Councilman Lull: "Yes."

Rolf Koesling: "And it was agreed that they cut down the number of houses they were going to build. Is that correct?"

Councilman Lull: "Yes."

Rolf Koesling: "Now how come now all of a sudden, they want to build more houses? Now all these other things here- "

Councilman Lull: "This is part of the original project. This is the original project, Rolf. Rolf, there's no- "

Rolf Koesling: "But I understand- "

Councilman Lull: "There's no prior approval here."

Rolf Koesling: "So now they were allowed to build those houses there. What's different all of a sudden that you're going into agricultural. That I don't understand. I mean they can do- "

Councilman Lull: "That's the zone change that will support what can be done."

Rolf Koesling: "Well, why so now- they were allowed to build those houses there. What's different now all of a sudden that you're going into Agricultural? That's what I don't understand. I mean they can do- "

Councilman Lull: "That's the zone change that will support what can be done."

Rolf Koesling: "Well, why- yeah, but why?"

Councilwoman Blass: "They needed a change of zone to Agricultural to allow for the golf course use."

Rolf Koesling: "They needed- "

Councilwoman Blass: "To allow for the golf course use."

Rolf Koesling: "Oh, for the golf course- "

Councilman Lull: "For the golf course, yes."

Councilwoman Blass: "That's correct."

Rolf Koesling: "For the golf course. It seems that an important thing like this, there's not much information coming from the Town Board except for the ladies. Seem to be about the only ones that seem to have investigated it- "

Councilman Lull: "Well, Rolf, we have to realize- we've been through this three years ago in very great depth."

Rolf Koesling: "Oh, I know."

Councilman Lull: "And nothing has really changed. So."

Rolf Koesling: "And nothing has changed. I know- then they tried dropping other things in. I want to ask you a question. They're going to evidently build more houses. Now this is- they turned this back to Agricultural property. Now it makes it eligible for the town to buy development rights from this property. Is that correct?"

Councilwoman Blass: "I don't believe that they will have development rights potential after this project."

Rolf Koesling: "I mean- I'm not asking- I said it makes it eligible now that if the Town wanted- "

Councilwoman Blass: "I don't believe it's in the AOZ."

Rolf Koesling: "It's agricultural property- "

Councilman Densieski: "It doesn't meet the criteria."

Rick Hanley: "The impact statement that was submitted in support of this petition showed a golf course, a teaching facility, clubhouse. It was also-- as part of what the court wanted us to study



originally was any potential residential development that could occur on the premises.

The impact statement had a map that was associated with it that showed a total of 69 residential lots which could be approved by a Planning Board if such an application was made. They made no application to the Planning Board for any residential development besides the cottages.

There is no discussion at all in that document about transferring rights or purchase of rights. It is what it is. It's a golf course with the accessory uses as well as a possibility of 69 lots if they would make an application to the Planning Board. Which they have not done. So that's where we're at today."

Councilwoman Blass: "And the number of golf cottages is about 29- 27 or 29?"

Rick Hanley: "Something like that. Twenty-two cottages."

Councilwoman Blass: "Twenty-two."

Rick Hanley: "And these cottages are for use by members. These are not overnight accommodations for the general public. So they are considered an accessory to the golf course."

Councilman Lull: "Thank you. Bill- either one of you want to speak? Rolf, go ahead."

Rolf Koesling: "Okay. Well, actually my question hasn't been answered. If this turns into Agricultural, could the town buy development rights even though they haven't requested it yet. Could they buy it?"

Councilman Lull: "No. It's developed. Can't sell development rights if it's developed."

Councilman Densieski: "Doesn't meet the criteria."

Councilman Lull: "Yes."

Rolf Koesling: "Now, I've got-"

Councilman Lull: "Sorry, I wasn't- okay."

Rolf Koesling: "In other words, the town hasn't any intention to buy development rights from it, not even partially."

Councilwoman Blass: "That's correct. We're not interested in that particular parcel for that purpose."

Rolf Koesling: "Okay."

Councilman Lull: "Okay? Sal?"

Sal Mastropolo: "Sal Mastropolo, Calverton. Does the change to Ag A have any impact on the assessed value of the land or the taxes coming out of it?"

Councilman Lull: "No. It shouldn't have any- this is not a- this has nothing to do with development rights and they do not have- they have not applied for it, I don't think. Bill, you haven't applied for any Ag exemption anyplace. So, the answer is no- "

Sal Mastropolo: "But does it make it available for exemptions if it's Ag A and in the long term, okay, can the land be assessed at a lower value because it's Ag A versus residential?"

Councilman Densieski: "No. You have to meet the criteria for the Ag discount."

Scott DeSimone: "The fact that it's- "

Councilman Lull: "I'm sorry, go ahead."

Scott DeSimone: "The fact that it's zoned agricultural will have nothing to do with the assessment. Property is assessed according to its use. So if it's being used as a golf course, it will be assessed as a golf course regardless of the zoning."

Sal Mastropolo: "Okay. That's fine. Thank you."

Councilman Lull: "Anybody else?"

Dave Mackney: Yeah, I have no problem with the- "

Councilman Lull: "Dave, will you do me a favor?"

Dave Mackney: "Yeah."

Councilman Lull: "State your name first."

Dave Mackney: "Oh, Dave Mackney, I live in Calverton. I have no problem with the golf course and the recreational stuff. I do have a problem if that road is going to come out in between where Malibu Beach Estates- are you familiar with Malibu Beach Estates? Well, my property is right next to that and as you come out of there, there's a road that comes out of there, not now, but if it comes out of there, it's by a dead return on the east and it's a very bad turn coming by

Blackman-Hoffman. All right? I can't even get out of my driveway half the time on Saturday and Sunday.

If, in fact, that road has to come out of there, the town or Bill or somebody will have to take a piece of property and open that road up otherwise you're going to have one disaster after the next. I would like to see that road not come out of there but if it's a relevant thing to having it done, then something should be done with the road because you're going to have a lot of problems. You know? The way it's- "

Councilman Lull: "As I understand it, Dave, that's not where the road is coming out?"

Dave Mackney: "Huh?"

Councilman Lull: "The road's not coming out there."

Dave Mackney: "Oh, it's not coming out there?"

Councilman Lull: "No."

Dave Mackney: "Oh, okay."

Councilman Lull: "Yes? I'm sorry."

Al (inaudible): "Good evening, I'm Al (inaudible). We live on Baywood Drive and I've been trying to find out for quite some time the actual site plan for the Links which would show the roads or the additional plot for the 69 houses and we can't get- we have to see a print. Is there something like that that exists?"

Councilman Lull: "Well, the plan- we have not done- we have not approved a site plan yet."

Al: "You haven't approved a site plan?"

Councilman Lull: "No. Rick, when- what is available?"

Rick Hanley: "The SEQRA document had a complete site plan shown for the golf course, all of the buildings that were described previously, as well as a 69 lot division which could occur. That's available for public inspection at the Clerk- in the SEQRA document. We have received a site plan as of this morning, as a preliminary site plan for review for contemplated approvals sometime in the future. That's available for inspection in the Planning Department.

But I think the best thing for this gentleman to look at would be the layout that was shown in both the draft and the final impact

statement, because it shows all of the improvements that are proposed or could occur."

Councilman Lull: "Okay. Yeah, we haven't started working on the site plan at this point but it is included in the SEQRA documentation."

Al: "Well, the plans that I've seen don't show the sites for the 69 somewhat houses and it doesn't show any roads going through. You really can't make a decision based on the information that we have as to what we feel should exist over there because we can't see it. And I'm simply asking to see- "

Councilwoman Blass: "Can you get- I think Mr. Hanley could make the document available to you at this point."

Richard Hanley: (Inaudible)

Councilman Lull: "Yeah, it does do that."

Al: "Okay. That's all- "

Councilman Lull: "Yeah, it's there. Yeah. Okay. Anyone else? One second, Bill. Okay, go ahead. Thank you."

William Kasperovich: "William Kasperovich from Wading River. I've got to get up here and strengthen and add to the last speaker's comments. It seems general practice in this township that you call a public hearing and the public doesn't know what the hearing is about. You haven't shown anything."

At the time the information is being given to the Town Clerk to print this agenda, that information should be available, should be posted up on the wall so anybody interested whether they come in this afternoon or they come in the day before, they could ponder on it and that it will affect their area and their way of life there.

Now, I for one feel we've had enough golf courses in this township. We've permitted golf courses on the finest pieces of land in the township and this is not the finest piece but at the same time it is not going to add anything to the community. It will just enable- as what I hear tonight, it is just going to enable the developer a means with which to develop and make money, not for the good of the community. Thank you."

Dan Carroll: "My name is Dan Carroll, I'm also from Baywood Drive. One of the questions I have is what is the purpose of this change of zone? We want to go to Ag A, right, from residence and what is it?"

Councilwoman Blass: "Residence A and Residence C."

Dan Carroll: "Now, do they have lower- "

Councilwoman Blass: "Recreational."

Dan Carroll: "Recreation. Is that a lower build out zoning on those than it is on the Agricultural? Isn't one of them half acre and the other one is acre?"

Councilwoman Blass: "The purpose of the change of zone to Ag A is because the agricultural zone permits the golf course use."

Dan Carroll: "Right."

Councilwoman Blass: "And that was the reason."

Dan Carroll: "The golf course that's already there."

Councilwoman Blass: "That is correct. It's built already."

Dan Carroll: "Right."

Councilwoman Blass: "That's correct."

Dan Carroll: "So if it's not changed, the golf course is not allowed?"

Councilwoman Blass: "Essentially that's correct. Yes."

Dan Carroll: "Okay. An exception could be made, I'm guessing. Is that correct?"

Councilwoman Blass: "No. We need to complete this SEQRA- "

Dan Carroll: "So the only way for this golf course to be able to operate is to have this entire property changed to Agriculture A. Is that correct?"

Councilwoman Blass: "Rick, do you want to address that?"

Councilman Lull: "Yeah."

Councilwoman Blass: "Thank you."

Rick Hanley: "As I said before, it's an assemblage. Recreational, Agriculture A, Residential A. The recreational district provides for more intensity of uses than the Ag district. So the thought was since the intent here was to construct a golf course-

operate a golf course, there's no need to apply the recreational district on the entire property. You would encourage more development."

Councilwoman Blass: "More intensity. More intensity."

Rick Hanley: "So the thought was why don't we approach this thing after the courts did what they did and the course was constructed, to have a district that had the lowest intensity of use possible, and that's why we're considering a change of zone to Agricultural A on the entire property, 350 acres."

Could the Town Board approve recreational on the entire assemblage and have the owner operate a golf course? Yes. But the owner would then be able to build all the other uses that are in the recreational district, which I don't think this Board or the residents really care to see happen there.

So this was we thought the best way to mitigate all the impacts associated with this course."

Councilman Lull: "Thanks, Rick. Okay? Anyone else? Art."

Art Binder: "Good evening. Art Binder, Baiting Hollow. If I understand this right, it's about 350 acres. You can have a maximum build out of 69 luxury homes and some cottages which are accessory to the golf course. So in reality it comes down to the equivalent of five acre zoning. You can build 70 homes on 350 acres, it's equivalent of five acre zoning. That sounds pretty good to me."

Councilman Lull: "I tend to agree with you."

Art Binder: "That's all. Thanks."

Councilman Lull: "Anyone else? Anything final, Ken?"

Ken Basst: "I just thought that one point- "

Barbara Grattan: "Please, Ken, spell your name."

Ken Basst: "Ken Basst. One point of clarification to maybe help people understand the road access and ingress/egress situation with respect to the residences."

As Rick said earlier, no subdivision application has been applied for. We're trying to walk through the process of complying with SEQRA. With respect to the study of residences that frankly was not our original intention and we did this back three years ago. We studied far more residences, not because we necessarily wanted to build them, but because that's what we thought we were supposed to do.

The court alleged that it was not done right so we did it again.

And the comment that was just made is accurate. We looked at the site today. We thought about the potential for how many houses could be built on the site, not as current zoning exists because that's far more, but even under the current master plan process which is a two acre zoning and the yield goes to 140. We said let's cut that in half so the residential yield has been brought down to even half- less than half of that to 69.

The one concern expressed about the road system on this hypothetical subdivision is that the main access in and out to these homes as everybody would expect, would be off of Sound Avenue so that they're part of the golf course development. The only reason that there might be secondary egress out through those areas by Baywood and (inaudible) north, is because the fire code requires that you have a secondary means of access out. It doesn't mean there will be a paved road. It just means there's got to be a way for people to get out, a different road system.

So unless somebody else has a question which I'm happy to address, I thought that was something that seemed like a concern, you know, for one or two people."

Councilman Lull: "Okay. Thanks. Anyone else? Okay. So the hearing is closed at 7:36."

Public Hearing closed: 7:36 p.m.

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Councilman Lull: "And that is it for today. Okay. The next part of the meeting is resolutions and we start by offering anybody a chance to comment on any of the resolutions. The public hearing- the public commentary at this point is on resolutions only. And please make it clear which resolution it is that you would like to address. Sal."

Sal Mastropolo: "Resolution 1146. Can you tell me if that mailing is done pre-sorted and- pre-sorted by zip and bulk rated through the post office? Or is it done- "

Councilwoman Sanders: "No. First class."

Sal Mastropolo: "You're kidding. We don't have the ability to pre-sort it and do bulk mailing through the post office? It takes the cost down to like \$.15 apiece."

Councilman Lull: "But we do a lot of bulk mailing as well and

not everybody gets it, so bulk mailing doesn't get forwarded. Bulk mailing doesn't get returned if the address is typed incorrectly. So in order to keep a good sharp control over who's getting it, to make sure that every house gets it."

Sal Mastropolo: "Resolution 1164. On the public notice page, it says to hear all- it's about seven lines down- to hear all interested parties with regard to declaring the premises described below as not required for the purpose of the Riverhead Public Parking Improvement District #1. There is no description on that public notice as to what property or premises you are selling for \$10,000. Is it a building; is it a quarter of an acre; is it an acre, or is it half a parking lot?"

Councilman Densieski: "It's a few parking stalls behind the Suffolk Theater."

Councilman Lull: "Yeah."

Sal Mastropolo: "I mean it should be described there."

Councilman Lull: "It's in the parking lot, yes. You're right."

Sal Mastropolo: "That's all I have. Thank you."

Councilwoman Sanders: "Sal, just so that you know, on that first Resolution 1146-- "

Sal Mastropolo: "Yes."

Councilwoman Sanders: "--I think I was going to attempt having a discussion tonight as to whether we even need to proceed in that direction because it isn't clear whether it's a mandate or not. So we might even end up tabling the resolution."

Sal Mastropolo: "Okay, well that was clear in the thing but I was more interested in, all right, if we have to do it, why don't we please sort it by zip and just do a bulk rate."

Councilwoman Sanders: "Why don't we do it by bulk rate. Okay, thank you."

Sal Mastropolo: "You're welcome."

Walt Smerek: "My name is Walt Smerek (phonetic). I'm from Jamesport. Question on items 1155 through 1158, budget adjustments totaling about a third of a million dollars. The implication when I read those is that we lost New York State aid. Can you clarify that? They're all farmland adjustments."



Councilman Lull: "Oh, okay."

Walt Smerek: "1155, 1156, 1157, 1158. \$90,000, \$193,000, \$34,000, \$21,000 respectively."

Councilwoman Blass: "The direct answer to your question, sir, is yes."

Walt Smerek: "We lost State aid?"

Councilwoman Blass: "We did not receive State aid that we anticipated as a revenue and those properties were closed during 1999 and 2000. So- "

Walt Smerek: "Where are we getting a third of a million dollars from?"

Councilwoman Blass: "There was an earlier bond that was when the purchase of development rights program first was enabled by the prior Town Board, there was a two million dollar bond authorization at that time that was subsequently raised to four million dollars and I believe that the proceeds that were- the proceeds- the serial bond proceeds that are being referred to as increasing here, is from that original authorization."

Walt Smerek: "So we're going in hock again. All right. Second question, item 1131. When I look at it, this is the amendment for EPCAL economic zone. Paragraph 108-204 says we're not going to- we're going to alleviate the owners there of real property tax for 10 years. Could you explain that to me? Does that mean that everybody that's there now pays no taxes for 10 years or is this all new people or what?"

Councilman Densieski: "What number resolution? The number of the resolution. I'm sorry."

Councilwoman Sanders: "#1131."

Councilwoman Blass: "1131."

Walt Smerek: "1131. Economic Development Zone at Calverton."

Councilman Densieski: "No, there's a breakdown. The town still receives their portion of tax. The New York State Empire Zone is where most of the tax benefits come to. It's also municipal like electric, tax incentives and various. The town gets its full assessment."

Walt Smerek: "So that paragraph then, it says it's a state tax that's being alleviated for the next 10 years."

Councilman Densieski: "It's not a complete thing. It declines in years. As it gets older, more mature, the rate changes. And it's also electric rates- "

Walt Smerek: "From what to what?"

Councilman Densieski: "I don't know the number off the top of my head."

Walt Smerek: "The implication is they don't pay any taxes."

Councilman Densieski: "Okay, that's not the case."

Walt Smerek: "It says an exemption. It doesn't say partial exemption."

Councilman Densieski: "Okay, it's a partial exemption."

Walt Smerek: "No equation for how it goes down over 10 years."

Councilman Densieski: "I don't know off the top of my head what the number is."

Walt Smerek: "Does this affect any income that the town has from those properties?"

Councilman Densieski: "No."

Councilman Lull: "No."

Walt Smerek: "That's it."

Councilman Densieski: "It doesn't affect that town portion of it. It does affect the state portion."

Councilman Lull: "Mason."

Mason Haas: "Good evening. My name is Mason Haas, Jamesport. I'm up here to speak on three resolutions. These all deal with the community center, or involving these resolutions over at the Grumman property.

As a parent, as a taxpayer, and as a son-in-law, I want to say that I think this idea is a very good idea for you guys. I think it was well thought out and you did a great job, the whole Board on this. With the demand in this town with the working class families for

child- for the summer recreational program which this town highly- should be highly commended for, it- this is a great idea because there is a waiting list every summer for these people, for us to get into there with our kids.

We come out at night; we waited 10:00 at night, start waiting until you guys open up in the morning and again not everybody can be accommodated. With this community center opening up over there, that's going to take care of an immediate problem for those working families in town, something that they can afford, and their kids enjoy.

The other issue being that I am a taxpayer who takes advantage of the community center in Jamesport with several other couples, on Friday night we go out and do ballroom dancing, my in-laws in Wading River and these people can't take advantage of those types of things. This will help out over there.

I understand that down the line, there is talk about building a new center over there but this will take care of the immediate problem. It's not going to cause the taxpayers any money as I understand it because this- the improvements that will be done to this building that's already owned by the Town or will be leased by the Town for what- a dollar a year or something, it's going to come out of the recreational fees so the taxpayers aren't going to have to pay anything for this. And on top of that, you're going to service just, you know, on its own, 80 families where they're paying about a thousand dollars for the summer recreational program for their children to attend that and the money that you'll generate from running a community center over there for the public will make it easier for the public on the western end of town to get to it.

There are many parents- I sit on line at night, you know, waiting for the opening up, and there are many parents that are out in that end of the town that come here and it's a problem for them to have to drive their children all the way over to this end of town when they work at the western end of Suffolk. So it will service them and it will definitely make them happier.

Another concern a lot of people had was the talk of a lottery that if you didn't get the facility, something up and running for this summer because the lottery would be devastating to a lot of parents. They can't turn around and make any plans and I believe a lottery would also be devastating to the town employees who get first dibs on

this which the public doesn't have a problem with, you know, from the parents that I talked to, that wait every year that are getting their children in, but if you went to a lottery, I'm sure that these parents would probably start saying well then the town employees would have to go into that lottery also. They couldn't get first dibs on it.

Again, I think for the taxpayers it's a win situation. It's not going to cost them any money and you're solving some immediate problems and I commend you all on the work that you've done on this. I know this was an issue that people brought up at a debate last night, you know, and several of you on the Council you addressed this issue and expressed your concerns about it, too, and I, again, commend you for acting on this and addressing this problem, as it is a problem. Thank you."

Councilman Lull: "Thank you, Mason. Anyone else on resolutions?"

Angela DeVito: "Angela DeVito, South Jamesport. On resolutions #1147 and 1154. I'm- I commend the Council for putting these forward. I can't think of two areas in which we need work to be done within our community but I have some questions regarding the actual monies that will be coming in and how much- what percentage within those grants of those monies that will be dedicated towards programs and services versus administrative costs and staffing. And I just- I didn't have the time unfortunately to get that information prior to coming here tonight and I was just wondering if there is any knowledge of that.

Because having worked with grants in the past, often times administrative costs eat up-- I know in having been part of the SUNY system and we take 53% of every grant for administrative costs. And so, therefore, programs and services suffer.

So I was just wondering how this had been laid out by the town grant administrator in terms of applying for this and how that looks."

Councilwoman Sanders: "I don't think I have those percentages right here in front of me but I could certainly get those for you."

Angela DeVito: "These are- especially the program with the criminal justice (inaudible), I think is going to be great. I currently work on a program here in Suffolk County jail with people who are incarcerated, preparing them for careers in the construction

trades and it would kind of be nice to get to them before they get there."

Councilman Lull: "Before they get there, yes."

Councilwoman Blass: "Miss DeVito, I think there is a cap that is talked about- "

Angela DeVito: "For administrative?"

Councilwoman Blass: "For administrative- I just don't know what that percentage is, but it is in the guidelines for the grant."

Angela DeVito: "Thank you."

Councilwoman Blass: "You're welcome."

Councilman Lull: "Would anyone else like to talk about any of the resolutions being offered tonight? Bill."

William Kasperovich: "I guess this is my night to bring to your attention that this agenda to somebody who hasn't sat through a work session or hasn't had the time to come up here today to read all the resolutions, half of it is not understandable. Now, granted this is better than nothing but things like you've got 1-34, the powers of the Board of Appeals, a very important item, if you didn't get back to reading the resolution, there's no way to know what's being done."

The same thing with 1236 and 60 and 50 and it's been the observation on my part that unless you move heaven and earth, nothing changes these resolutions. Anybody comes up here with a valid correction or omission or deletion, nobody gives a damn. They just run through them as fast as they can because they've digested everything in the work session.

So this does not replace the posting of the resolutions. The resolutions should be made public as soon as they are firmed, as soon as they are in enough verbage to- for the Town Clerk to prepare, it should go out for public notice. And it isn't. Consequently you've got to either be privileged to read all the resolutions to see what the Town Board is doing or there's no way to speak intelligently about what they're going to do. And the fact that their history is to pass the resolutions without comments and criticism by the public, I say this should be improved and the Town Board should get the information

to the Town Clerk in reasonable time so that's it practicable to accomplish this.

And if you can't get it in numerical sequence, get it out of numerical sequence. But at this rate, you act upon the resolutions and the people that sit here, the people that are interested in the town functioning and the good of the township, they have no way to know what you people are doing.

Now, I've been waiting for a resolution to come up resolving the street that I live on as a public highway. The town highway department is planning to pave the streets in Wildwood Acres and there are still questions and- residents that these are private roads. And yet the town has spent considerable time and money in the legal department to show that enough precedence have been set in the courts in the State of New York that all the roads in Wildwood Acres are public highways and the state laws apply to them. I'm particularly interested in this direction such that the police department has specific (inaudible) from the Town Board that these are public highways. And now that I thought that this being the last meeting before if and when this work is being done, that this would have been put on the agenda and acted upon prior to the actual working since it's a sizeable amount of money to pave that many streets and they're skimping on the monies to the improvement and developments that are necessary prior to the paving.

So, again, when you do put it in the agenda- don't know what you're referring to and when you omit it, there's no way to know that you have considered it and tabled it or decided that there's no need for resolutions. Thank you."

Councilman Lull: "Okay, thank you, Bill. And quickly you have commented on two things that have been important to you for a long time and I understand."

William Kasperovich: "This is the last public- Town Board meeting before we could get out privilege in this America to vote and some of you people sitting there should sit down on Sunday in church and consider whether you are being just self-indulgent to allow yourself to act for the people that live here. And I find this coverage of the remaining work to be done by the end of the year is not there and I'm afraid that it's because the lack of knowledge. Thank you."

Councilman Lull: "Anyone else on resolutions? Okay."

Iris Smerek: "Iris Smerek, I'm from Jamesport. Resolution 1138 authorization to discard fixed assets. Those fixed assets are computers. I want to know what's going to happen to them."

Councilwoman Sanders: "Sometimes they get donated to the schools if there is any use for them in the school buildings. The schools take them in and then use them in their technology programs for their computer repair technicians to practice of them, refurbish them, and then give them out to kids who may not have computer equipment."

Councilman Densieski: "And the balance will be auctioned off at the town garage."

Iris Smerek: "We have assurance of that? They're not just given away to anyone that comes down and wants them?"

Councilman Lull: "No."

Councilman Densieski: "Absolutely."

Councilman Lull: "No. We have- we must pass a resolution to officially declare them no longer useable. At that point, they have been- some have been appropriated by BOCES for their programs; some of the local schools have done it, and those that are not claimed are auctioned off. Yes."

Iris Smerek: "Okay, thank you."

Councilman Lull: "Rex."

Rex Farr: "Rex Farr, Calverton. Just a quick question on 1133, Submission of application for New York State Affordable Housing Corporation. What is that? 1133."

Councilman Lull: "We have a home improvement program through the Community Development Office."

Rex Farr: "And where does that take place?"

Councilman Lull: "Right here. In this office here. What happens- "

Councilman Densieski: "Community Development Office."

Councilman Lull: "Community Development Office."

Councilman Densieski: "We help people throughout the community like if they need a stair fixed or a window fixed or something like that."

Councilman Lull: "It is based on income."

Councilman Densieski: "It is based on criteria."

Councilman Lull: "Certain other criteria."

Rex Farr: "Oh, this is not an application- "

Councilman Lull: "No, no."

Councilman Densieski: "We do it every year. Mr. Chairman, I request a 10 minute break."

Councilman Lull: "That's fine. Is everybody clear with the answer that Rex got because I thought I heard some questions- okay. Anybody else like to address the resolutions? John."

John White: "Good evening. I'm John White of Calverton. I just want to speak a little bit about the Calverton Community Center that the other gentleman had spoken about earlier.

I was at the meeting last night which the Rec Committee on their vote had come back once again to not endorse the project. The original project had been brought to the Town Board with a number of \$300,000 to be as I was told the estimate, that was a realistic estimate at that time. I had questioned that and felt that it would probably be more like \$500,000. As of last night's meeting, it's up to 450. Nothing's been done as of putting a shovel in the ground or anything. I know it will end up being more than that.

The Rec Committee had originally endorsed spending \$800,000 thereabouts to do a new facility in the Calverton Park to be built. The Committee still feels that way and the Committee feels that if the 500 is spent right now, add 800 to it, that comes up to a million three. They're not willing to spend a million three; they don't have that much money. That means that money has to come from somewhere



else.

This money that's coming from the builders is not free money. It's money that they're giving for parks for the people of the town of Riverhead. It can run out and will. So to spend 500 additional now means you won't have 500 to spend somewhere else.

I just feel and the people on the Committee feel the same way, that this is a worthwhile project but not at this location. Build it in the new park so that grandparents can bring their children- their grandchildren there. They can watch them play. They can go inside the center. They can't do that when they have to drive three miles around the block. They can't watch them. And a lot of the grandparents watch the grandkids now.

So I think the location is wrong and it's only less than a two acre piece of property. It's not expandable. That's all I have to say. Thank you."

Councilman Lull: "Thank you, John. Mason, sorry. Not until everybody has had a chance to do once. Okay? Is there anybody else who would like to speak on any of the resolutions? Okay. Mason, quick."

Mason Haas: "The Rec Committee's meeting projection date, a new facility, is what time frame we're looking at? Because it is an issue with the parents."

Councilman Densieski: "The new one, I don't know, but if they renovate this one, it's a 30 year contract. So that sounds pretty permanent to me."

Councilwoman Sanders: "That was the lease of the property was for a 30 year period, not the lease of the establishment of the building. I believe the projection to be conservative is a minimum of three years before we put it together, get a plan, go out for bid, and then begin construction. So on the conservative side, I would say around- I would estimate about three years."

Mason Haas: "And going with the other route, we're looking at opening up this facility- "

Councilwoman Sanders: "This spring."

Mason Haas: "This spring. I think, you know, business-wise, and need-wise, I think the need is there for that. Business-wise, you improve the building bringing it up to code and all and with what other developments are going on over on the so called Burman subdivision, there's the chance that this building could then be sold and the money retrieved back would seem likely? Yes? I mean, it's going up in a- "

Councilman Lull: "We can't really predict three years in the future as far as the state of the economy, Mason. With the amount of money that we- "

Mason Haas: "Jim, that's a good point, because like you just said, you can't predict three years in the future."

Councilman Lull: "Yes."

Mason Haas: "You know, three years in the future, we're possibly going to break ground then on a facility that's needed now because there is going to be a problem and if this is not going to cost the taxpayers any money out of their pocket at this time, and we're projecting- there's talks about projections of tax increases next year and stuff like that, the market is great right now, you have this money here. If you can do something now that can be an immediate fix that you can possibly recoup your money, and I can't see- being in the real estate business, I can't see how the town would not recoup it's money back on this facility if they brought it up to code, and then down the line with Burman what he's doing over there, I would think this piece would probably be in demand. It was used by the phone company for many years before that, this same parcel of land.

So, again, the people in the western end of town, like I say my in-laws, they would like to have something they could use. They may not be around in three years, you know. No offense, but, you know, you talk three years breaking ground and then five years to finally open up the facility and at that time you're projecting spending \$800,000 for something- a project three years down the line, those costs could excel again. And you're not talking about \$800,000.

If you're talking about doing \$300,000 or \$500,000 at this point to get something opened up to meet the demands of the population of the town and this town is exploding, I am involved in- the PAL, I'm involved in Riverhead Little League. I am involved in, you know, all sorts of the things in the community with what's going on here and I'm

not close minded to things but, however, as a business person and as a tax person, I would think this would make more sense to get this up and running.

It's addressed- it's an issue that's a concern to the western end. Again, these parents who are out here waiting at night and they wait from- they get down here at 4:00 in the morning because they don't come out at 10:00 because they have other children home to take care of and then they come in at 4:00 in the morning and they can't turn around and they sit here and then all of a sudden, well, sorry, we're all full, there's 40, 50 families still waiting, then, you know, you're running into that problem and then you're saying, okay, well, now what do we do?

This is an issue- you're going to generate money from it to begin with because again 80 families at \$800 to \$1,000 a kid, there's \$80,000 every summer you'll generate from that. So that money can go back to offsetting it. And then the money you'll make from it in the meantime while you're waiting for the other facility by the other residents in the town using this facility where they go to ballroom dancing, they go to yoga, they go to things.

The community center over here in Jamesport does very well. I live around the corner from it. It's always busy. So, you know, it's an issue that I think you really do need to do. It's one that's been expressed by the taxpayers. It's one that's expressed by me as a parent and it's one that a lot of parents are concerned about after reading last, you know, the spring's article about how many people were left out in the dark.

So, again, if you're going to generate money off at \$80,000 just from the summer program and you're going to spend, okay, \$400,000 or \$500,000 to get something up and running now that you can then sell down the line in three years time when you finally get the other piece started, actually probably five years, more realistically five years, then you're going to turn around and recoup your money back and the taxpayers are going to have something to use in the meantime and then you're going to have a nice facility that you're going to be able to spend more money on and get your money back.

So this is to me a no win situation. It's- I mean a win-win situation by going this route. Again, it fixes an immediate problem that you do have and it addresses the concerns of people in the area that want something instead of having to wait down the line.

When you say a bad location, to me I don't know if I consider it such a bad location. It's on the back road so you're not pulling out on the main road, 25 right now. So, I don't know if I would say it's such a bad location. It's close to the traffic light over there on Wading River Manorville Road and people coming from that area there, they can come right down that road and shoot right down.

So, I think it's something that you really do need to consider and look at. You'll get your money back. I can't see why not. Being in the real estate business for 20 years in this town, you'll definitely get your money back on this issue. And you'll be making money at the same time. It's going to generate money the minute it's opened. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else on resolutions? Yes?"

Kathleen Grodski: "Kathleen Grodski from Calverton. I would like to also speak about that same resolution about this location in the park. It's my understanding that if you spend now up to \$450,000 and probably more on this particular site, that it only actually houses 99 people. As a small fix, I can't see justifying spending that amount of money on a facility that can only hold that many people in the community.

And I, you know, I hear that you're saying maybe three years maybe down the road that the other facility- that you're stretching it to a long term. I think that if really the Town Board got on the ball and got plans ready, that that facility could actually be in existence sooner than that.

Also, this site what I've seen of it talking about location, meaning that there's not a speck of grass there. It's pretty well a cement slab and a building and, you know, we want to make it an atmosphere where seniors and teens can go and, you know, use this facility and also use outdoor facility and there's nothing around there to do outdoors. I mean it's not- we're not- we have open space and grasslands that we could make maybe a facility where you can also share an outdoor facility alongside the building and I think spending this kind of money, let's put it to use and get a real state of the art facility that everyone can enjoy and more than 99 people. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else would like to address us on resolutions?"

Councilman Densieski: "Take a break now."

Supervisor Kozakiewicz: "Oh, is that what you guys talked about, taking a break? Is there a motion?"

Councilman Densieski: "If you want; if not, it's okay."

Supervisor Kozakiewicz: "Ten minute recess. All right. Let the record reflect the time of 8:10. We'll move for a 10 minute recess. Thank you."

Recess: 8:10 p.m.

Meeting resumed: 8:22 p.m.

Supervisor Kozakiewicz: "Tell me when it's ready."

Barbara Grattan: "It's ready."

Supervisor Kozakiewicz: "All right. Let the record reflect the time of 8:22 p.m. has arrived. We'll reconvene the meeting to take up resolutions. Actually, I guess we've got to adjourn and move over to our Community Development Agency portion."

Meeting adjourned: 8:22 p.m.

Meeting resumed: 8:30 p.m.

Barbara Grattan: "Now are you going to do 1162?"

Councilwoman Sanders: "I made a motion to take those resolutions out of order."

Supervisor Kozakiewicz: "That would be 1162 and 1163?"

Councilwoman Sanders: "That's correct."

Supervisor Kozakiewicz: "Okay. Any objection? All right. 1162 and 1163 are moved by Councilwoman Sanders out of order and I presume you're moving both at the same time?"

Councilwoman Sanders: "No, we can do them separately. 1162 is

the actual agreement and 1163 is the budget adoption, so I would like to keep them separate."

Supervisor Kozakiewicz: "All right. Is there any objection? Being none, let's move forward. 1162."

Resolution #1162

Councilwoman Sanders: " resolution authorizes the Supervisor to execute a lease agreement with the Riverhead Community Development Agency for lease of land located at EPCAL for Calverton Community Center. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "Mr. Supervisor, Town Board, if I may have an opportunity to express my thoughts on the issue. I am on- if you would say, on the other end of the spectrum. I disagree with Councilman- respectfully disagree with Councilman Densieski's point of view on this issue.

We have had this particular issue in front of us going back as far as when I was the Chairperson of the Rec Advisory Committee and if Mr. Pfeiffer were in the audience, I know Mr. Langhorne is in the audience. We have been talking about providing the residents of the western end of town with a community center similar to the one at the Jamesport- in Jamesport, the George Young Community Center.

The- we attempted to buy a building years ago. We couldn't afford it then. At the time we were going to buy the Charter School building for I believe the amount was \$450,000 and at the time we could not afford to buy the building to make a community center for the residents of Wading River.

But we persevered. We continued. We continued our search. And they have requested it for a long time. The guardhouse became available after it was vacated late last year. The proposal was made to the Town Board to pursue and investigate the utilization of that building for a community center for the residents on the western end of town.

The Recreation Advisory Committee opposed the idea based on some issues that they brought up as concerns and I believe that between myself, Mr. Testa, and anyone else who has participated, we have done everything we could possibly do to alleviate and remedy those concerns. There were concerns about the environment, that it was too small, that it was a violation of building code. We had lead and we had asbestos and we had every obstacle thrown out there that you can imagine. Everything was investigated. There were no complaints. We did our job. We went out and researched all those concerns brought to us and none of them were founded.

There are no- there's no water contamination, there's no lead, there's no smoke coming into the building causing carbon monoxide poisoning to any of the employees there. None of those conditions exist. The building is a sound building. The building has been investigated, researched, reviewed by our town engineer and I respect Mr. Testa's professional opinion and he said that the building is in great shape.

Of course, we need to make renovations, just as we're going to make renovations across the street to utilize that as a town hall facility for when the building department moves over. We're growing. It's a growing town, we need space and we need to make financial investments in those structures.

I understand that the Rec Committee has concern, but our mission as a Board is larger in scope and we must sometimes override as we have in the past a committee's recommendation. I also support and do not misunderstand, I would love to have a brand new recreation facility tomorrow. I would love to have had it three years ago. But the fact of the matter is we're in a position now where we have a building that we can utilize as a community center and still go forward with our plans for a new recreation facility, a state of the art building on a 62 acre parcel that's been identified up at Grumman.

That's not to say if we go forward with this, that process stops and that's not to say that the money that we invest is money that we are throwing away. We are making improvements to a facility that like anything else, if you make improvements to your home when you go to sell it, you can sell it- it increases the value of your home. We may not make money on it but I don't think we would lose money on it.

It doesn't cost the taxpayer any money. It is coming out of park and rec fees and I believe the resolution that will adopt the budget

indicates that when the sale of the building is realized, whether it be in three years, five years, however long it takes, that that money will go back into park and rec fees to contribute to the development and the building of the new rec facility.

So, it's a quicker fix. We can offer something to the Wading River residents who have waited very patiently all these years to have a community center. We take it out of park and rec fees. We sell the building, the money goes back and it goes towards a new rec center.

I fail to see where the problem is and I very much support this particular resolution. I support it because I am sensitive to the needs and the request of the residents from that area. I think we owe it to them and we have an opportunity to provide it at this time.

With that, I say yes."

The Vote (Cont'd.): "Blass."

Councilwoman Blass: "I am supporting this resolution. My vote is yes and I've discussed this with Councilwoman Sanders. It is not an ideal location but I support it as an interim measure and look enthusiastically towards working towards a location and construction of a permanent facility that would better accommodate the needs. But as a short term solution, I think this is a good investment and I'm supportive of it. And my vote is yes."

The Vote (Cont'd.): "Densieski."

Councilman Densieski: "Well, the problem is as I see it is we're putting a park where kids and seniors are going to hang out inside an industrial park. Like Mason Haas pointed out so eloquently before that he loves having the senior center around the corner from his house. Well, this is miles from the closest house and it's not around the corner from anybody's house.

I don't think this is a good interim fix. I think what we should do is find a spot in either Calverton or Wading River and lease it for \$1,500 bucks a month until we can build a proper one on the right location.

I believe that the term that we're doing here today is putting good money into bad. \$600,000 into a senior center in an old guard shack in an industrial park makes no sense to me and mark my words.



It's going to be \$600,000 by the time we're done with the inside, the outside, the furniture, and all the change orders and all the extras. It's going to be a minimum \$600,000 for an interim fix. No."

The Vote (Cont'd.): "Lull."

Councilman Lull: "Yes, to the lease."

The Vote (Cont'd.): "Kozakiewicz."

Supervisor Kozakiewicz: "I'm going to try and be a little bit briefer than I was before."

We have been looking for a community center for a while on the west end of town and by no means should anyone anticipate or translate my vote into a determination that I am, you know, the cries and the requests from the west end are falling on deaf ears.

One thing, the Riverhead Charter School, I believe the number was a little bit higher than \$400,000 but that's really, I guess, not the issue here. We had looked at it and we looked at it as a permanent facility is what we had done.

The improvements, no question that typically improvements will result in your being able to sell your property for more. I had the experience personally where that wasn't the case. Having bought my first house at the height of the market and then the next year, the year after that, the market going down the tubes, having spent money improving it, adding on, I couldn't even get back what I paid originally for it. And that's one of the things that, I guess, you can't say is a guarantee. So I've got to respectfully disagree because I know I went through it.

I also had some conversations with some of the residents who are from Wading River and from Calverton and got a little bit different opinion of how enthusiastically they are as far as support of the location and whether the other location, i.e., working to provide a permanent facility off of 25 would be what they prefer and that they're not fully supportive of this.

I certainly want to see something happen on the west end of town. I think one of the things that's going to come out of this is that however bad a board works, however good a board works, it's clear that a board is making a decision here based upon the vote we've had

already and we'll all, I think, at the end of the day, abide by that board decision.

I vote no, but you know at the end of the day, you know, I will work since it is a decision to make it work as best I can."

Barbara Grattan:    "The resolution is adopted."

Resolution #1163

Councilwoman Sanders:    "The budget adoption for the Calverton Community Center capital project.  So moved."

Councilwoman Blass:    "And seconded."

Supervisor Kozakeiwicz:    "Moved and seconded."

The Vote:    "Sanders."

Councilwoman Sanders:    "Well, I'm just going to and I think we only owe it to people listening to this whole long speech up here is the number has gone from \$300 to 600 to 700 and the transfer from park and rec fees as it is on the resolution as you can see for yourself, is \$402,000.  Not \$600 and I understand as any other improvements that the Rec Committee has done in the past requires the accessory that goes along with it.  So whether it's a swing or we can use, for example, Unity Park.  We made an improvement there and, of course, we had to replace the swings and all the accouterments that go with when you do a park and you establish a facility, you can't say we're going to build a basketball court and not put up the hoops.  So I think that's a given and I agree, yes, there's going to be an additional cost but nothing that's going to be a surprise.

But for the construction improvements and the architectural expense and the contingency money, the total comes to \$402,000.  I just want to get that on the record and I vote yes."

The Vote (Cont'd.):    "Blass, Yes."

Councilman Densieski:    "Yeah, this is absolutely correct.  It's \$402,000 and basically this is for the interior.  There's not one blade of grass on this property where we're going to send our kids and seniors.  This is going to be the first of several budget adoptions for this project and I'll state it again.  At the end of the day, it's

going to be \$600,000 for a temporary fix. I have to vote no."

The Vote (Cont'd.): "Lull."

Councilman Lull: "I have to agree with Councilwoman Sanders when she says the project was not approved by the Rec Committee. That is obviously true. And I have to disagree with her when I say that that money that we invest is going to be money that will be gotten back in the future from a sale. I don't believe it. I can't prove it one way or the other. Somebody asked the question before. You can't, you know, prove that. Bob made comment about that wherein he spoke on the last resolution.

We also have had no luck with using schools, public schools, for our summer program. They're inconsistent. They must do work, we know that. They must use the summer that they have. And so it is inconsistent and there is only one school in that area of the town and so you have to just roll your dice and make sure that if you're lucky, you'll get some time at that school. But most of the time it's not available.

And there is not enough accessible property in Wading River. We have two senior citizens groups in Wading River- in the Wading River area, both of whom meet in Brookhaven town. They're sponsored by Riverhead; they meet in Brookhaven town. That's not acceptable to me.

Last year and the year before when we had discussion during the summertime about the- about the summer program and we had complaints, and rightfully we had complaints by parents, we weren't able to get into the summer program, you handled it wrong, this, that and the other thing. It wasn't a case of we handled it wrong; we didn't have enough seats and I made that very clear at that point. I think we all agreed the answer to that problem is to provide more. This is a program that pays for itself. There is absolutely no reason why not to provide more seats however we can.

We have a community center in Jamesport that is rated for about 100 people and this building here which is rated for 99, you're talking about having an equal access on this side of town- on that side of town as opposed to the eastern side of town.

So I'm unhappy with our senior programs being in Brookhaven; I'm unhappy by having to say no to any of the- to any of our parents who wish their kids to have our fine summer program for their kids. And

although I don't believe this investment of \$402,000 is going to come back to us, that's not the point. For however many years we use it, you take that amount of money, that's the lease, you subtract that, we'll get that money back. I vote yes."

The Vote (Cont'd.): "Kozakiewicz."

Supervisor Kozakiewicz: "For the reasons previously stated, no."

Barbara Grattan: "That resolution is adopted."

Resolution #1129

Councilman Densieski: "Hold on, mine are out of order now, so give me a minute. All right. 1129, I'll put my eyeballs back on. It's going to be 49 instead of 29% increase next year."

1129 approves the temporary sign permit of Hampton's Furniture quitting business all must go, wall to wall. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "I just have one comment. Is there any way we can get the signs down early? They are quite unsightly and I would hate to see those signs on Main Street during the holidays. I don't think anybody- and we could look at one another and make whatever eye contact we would like, but I think it's inappropriate to have huge yellow and whatever signs up in store windows during the holidays. I don't think it's- I think it detracts from the beauty on Main Street during the Christmas holidays and I don't think it's fair to other business owners."

So all I'm asking is go ahead with the sign if we can change the expiration date and have it down before the holidays. Maybe possibly the end of November before the holiday season begins."

Supervisor Kozakiewicz: "Is that a motion to amend?"

Councilwoman Sanders: "Yes. It is a motion to amend."

Supervisor Kozakiewicz: "Okay. Is there a second to amend and the amendment would be November 30, 2003."

Councilwoman Sanders: "Yes."

Supervisor Kozakiewicz: "All right. I'm a mind reader. Is there a second? But I haven't heard a second to that amendment yet. Is there a second?"

Councilwoman Blass: "I'll second that amendment."

Supervisor Kozakiewicz: "All right. On the amendment. Let's vote, please."

The Vote: "Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "I hate to do it again, but you know what, it's going to be Christmas at this guy's house, too. He wants to liquidate his business and he wants to do it during the holiday season when people are actually spending money. The town code permits him to do it, yet the taste police and the time police have said no. I'm going to vote no on this amendment."

The Vote (Cont'd.): "Lull."

Councilman Lull: "I'll vote no on the amendment, too."

The Vote (Cont'd.): "Kozakiewicz."

Supervisor Kozakiewicz: "I'm going to be the odd apple here. This is going to be the oddest meeting because just to make this thing go forward, let's do it. So, I vote yes on the amendment. If he needs more time, have him come back and we won't charge him. Let's just get this over with. I mean I can't believe we're spending as much time on a temporary sign. Let's go."

Councilwoman Sanders: "We've spent two minutes."

Councilman Densieski: "We always do."

Supervisor Kozakiewicz: "All right. Yes on the amendment. Now, let's vote on the resolution."

Barbara Grattan: "All right. Who's going to introduce that

resolution?"

Councilwoman Sanders: "It was."

Supervisor Kozakiewicz: "Now it's- "

Barbara Grattan: "Now we've got to- "

Councilwoman Blass: "I'll move the resolution as amended."

Supervisor Kozakiewicz: "Thank you."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

Barbara Grattan: "Who seconded it, Lull?"

Supervisor Kozakiewicz: "Lull."

Councilman Lull: "Yes."

The Vote: "Sanders."

Councilwoman Sanders: "I'll vote quickly. Yes."

The Vote (Cont'd.): "Blass, yes; Densieski, yes; Lull, no; Kozakiewicz, yes."

Barbara Grattan: "The resolution is adopted as amended. And that will read November 30, 2003?"

Councilwoman Sanders: "Correct."

Supervisor Kozakiewicz: "Correct."

Resolution #1130

Councilwoman Sanders: "Approves the temporary sign permit of the Town of Riverhead for a job expo. So moved."

Councilman Lull: "Second."

Councilwoman Blass: "And seconded. Ooh, that was not me."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "I hope we don't have green lettering. Yes."

The Vote (Cont'd.): "Lull, yes; Kozakiewicz, yes. The resolution is adoptd."

Councilwoman Sanders: "Oh, boy, we get cranky when we don't get our way."

Resolution #1131

Councilman Lull: "Adopts amendment to Chapter 108 of the Town Code of the Town of Riverhead entitled Economic Development Zone at Calverton. So moved."

Councilwoman Sanders: "We had a question."

Supervisor Kozakiewicz: "Question. Discussion. It's moved. Is there a second?"

Councilman Densieski: "Second."

Supervisor Kozakiewicz: "Moved and seconded. Discussion."

Councilwoman Blass: "We had a question during the comment period on a clarification and I don't know if our coordinator would like to address it. I don't know if you were here during that time but there was a question- "

Councilman Densieski: (Inaudible)

Councilwoman Blass: "I'm sorry?"

Councilman Densieski: "Go ahead."

Supervisor Kozakiewicz: "What was the discussion?"

Councilwoman Blass: "There was a question that we were not able to answer at that time and I think our coordinator is here. Maybe she

can provide the answer. I don't know if that's appropriate, Mr. Supervisor, to have our coordinator- "

Supervisor Kozakiewicz: "Well, there's a discussion. What was the discrepancy?"

Councilwoman Blass: "The question was in paragraph 108-204 on the real property tax exemption. I think the specific question was about the nature of the exemption and whether the town is whole in its collecting its taxes. The real property tax exemption clause reads that under 485-E of the Real Property Tax Law, there shall be a term of 10 years for a real property tax exemption and the question to the Board was does that mean that the town of Riverhead does not collect its real property taxes for properties within the zone for a period of 10 years. That was the question."

Supervisor Kozakiewicz: "Tracy, you need to go up to the mike. As I understand it, this is through the state, but- "

Tracy Stark: "Yeah, the town collects their taxes. The exemption is on improvements."

Councilwoman Blass: "Thank you."

Supervisor Kozakiewicz: "Any other questions? Any other discussion? Vote, please."

The Vote: "Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "I believe that Riverhead tried very hard to get this moved downtown and also some acreage rearranged at the EPCAL. But I think we were (inaudible). We had to give it to other places like Wyandanch and Gabreski and competition with our own- our own industrial park, and Wyandanch for no compensation. So I'm going to stay consistent. I didn't vote for any of these although I really, really want it bad for downtown, I feel that we were (inaudible) and I don't think we should go for that. No."

The Vote (Cont'd.): "Lull, yes; Kozakiewicz."

Supervisor Kozakiewicz: "I've said my reasons before why the process was such as it is, and why this ultimately was resolved in the fashion it is. I'm not sure if it's necessary to rehash it. So I'm not going to."



I would vote yes because I think the quicker we get through this, the quicker we can apply the Empire Zone to the downtown parcels that are indicated as part of this and it will provide one more tool to help downtown and help with the revitalization effort. So I vote yes."

Councilman Lull: "Apply before it before it runs out."

Barbara Grattan: "The resolution is adopted."

Resolution #1132

Councilman Densieski: "Discussion. We have no agreement attached. Are we skipping the details tonight, or are we going to vote on this with no agreement?"

Supervisor Kozakiewicz: "Is someone going to move it first? We are really having one of those tough nights, aren't we? This is supposed to be a simple night."

Councilman Densieski: "I motion to table considering I haven't seen the agreement. I don't know if anyone else has, but- "

Supervisor Kozakiewicz: "Okay. Is there a second to table?"

Councilwoman Sanders: "Second."

Supervisor Kozakiewicz: "Motion and second to table. Vote, please."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz."

Supervisor Kozakiewicz: "Out of respect for my colleagues since we want to have an agreement, I'll also agree to table and we'll bring it right up at the next meeting."

Barbara Grattan: "Okay, resolution is tabled."

Resolution #1133

Councilwoman Sanders: "Authorizes the submission of an application to the New York State Affordable Housing Corp. for funding to support the Town of Riverhead home improvement program. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1134

Councilwoman Blass: "Before I move this resolution, there is one correction in the Resolve clause. This resolution should actually go to the Riverhead Zoning Board as opposed to the Planning Board because it is their jurisdiction. So I'd like to move it with that amendment."

This resolution adopts a local law to amend Chapter 108 entitled Zoning of the Riverhead Town Code with respect to the notification for variance procedures before the Board of Appeals. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "Before I vote, I just want to say that Councilwoman Blass did put in a tremendous amount of work. She persevered and stuck with it. It had gone through the process a couple of times, but we finally have it up and I think it's an excellent idea and I commend her for proposing this local law and I vote yes."

The Vote (Cont'd.): "Blass, yes; Densieski."

Councilman Densieski: "I was on the Zoning Board around '96, '97 and we talked about doing this back then and Barbara did it now so I commend her and I'll vote yes."

The Vote (Cont'd.): "Lull, yes; Kozakiewicz."

Supervisor Kozakiewicz: "Ditto. Barbara worked with Marty

Keller, incorporated the language, and hopefully we will have less issues down the road as far as adjoining property owners and whether they feel they were properly notified under our town code. Yes."

Barbara Grattan:     "The resolution is adopted."

Resolution #1136

Councilman Lull:     "What about 35?"

Councilwoman Sanders:     "1135?"

Barbara Grattan:     "I'm sorry."

Supervisor Kozakiewicz:     "You're jumping one there, Barbara. You really want to get out of here, don't you?"

Resolution #1135

Councilman Densieski:     "Designates town road, Riverfront Way. So moved."

Councilman Lull:     "Second."

Supervisor Kozakiewicz:     "Moved and seconded."

The Vote:     "Sanders, yes; Blass, yes; Densieski, yes; Lull."

Councilman Lull:     "The Parking District did the work on this road, this Riverfront, whatever you want to call it, this Riverfront Way this year and the number of times we've had to refer to it as the road between the Grill and West Marine or whatever else we refer to it, it's nice to have a name on it and a nice sign for it as well. Yes."

The Vote (Cont'd.):     "Kozakiewicz."

Supervisor Kozakiewicz:     "The Riverhead Grill Road, I don't know. Yes."

Barbara Grattan:     "The resolution is adopted."

Resolution #1136

Councilman Lull; "Resolution and consent approving the dedication of highways known as Clover Place. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1137

Councilman Densieski: "Establishes the Town of Riverhead handicapped equipment bank. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "A question. I just want to make sure that we don't have a liability issue and do- would we need a hold harmless document signed by each participant in this program because we're giving out equipment that we don't necessarily know- "

Councilman Densieski: "I don't know. The Town Attorney's office prepared it. I would imagine they dotted all the "i's" and crossed all the "t's."

Councilwoman Sanders: "And somebody uses a chair and something should happen, shouldn't we have a- "

Supervisor Kozakiewicz: "I know it was discussed at work session and I think at that point in time there was a comfort level that we could do it and we can incorporate- if there's a need to do a hold harmless as part of this. I think that's what was agreed to. Scott, I know you weren't part of that discussion, so- "

Scott DeSimone: "And I'm still reading (inaudible). What is the equipment being used for?"

Supervisor Kozakiewicz: "What we're looking to do is get handicapped equipment that's no longer being used by an individual or a family of an individual who previously used it, to establish a bank and then have it available for donation for individuals to use it who can't afford it. Whatever the piece of handicapped equipment may be.

You want to look at the resolution and have us pass and go forward to others? Would that be what you'd like to do? Okay. That's 1137. 1138."

Councilwoman Sanders: "We're just going to put it aside?"

Supervisor Kozakiewicz: "1138. Yes."

Resolution #1138

Councilman Lull: "Authorization to discard fixed assets. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1139

Councilwoman Blass: "This resolution accepts a cash bond from Douglas and Susan Noble from the Northeast Christian Book Store. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass."

Councilwoman Blass: "I would just like to add that I think in resolutions like this that we're taking a bond or cash security representing 5% site plan fee, that we should put the date of the particular site plan that we're talking about because we have more than one on occasion and I think it's important to reference the particular site plan that was approved. So with that, I do vote yes."

The Vote (Cont'd.): "Densieski, yes; Lull, yes; Kozakiewicz."  
Supervisor Kozakiewicz: "(inaudible) reference resolution.  
Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #1140

Councilman Densieski: "Accepts cash bonds of Jay Tranchina - T  
Jay's Transmissions, Inc. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "I didn't support the original resolution  
on this project, so I vote no."

The Vote (Cont'd.): "Blass."

Councilwoman Blass: "I'm going to vote yes and I'm going to ask  
that that same correction be inserted into the first Whereas clause.  
Yes."

The Vote (Cont'd.): "Densieski."

Councilman Densieski: "Yeah, the guy's a great businessman and  
he runs a great business. Yes."

The Vote (Cont'd.): "Lull, yes; Kozakiewicz, yes. The  
resolution is adopted."

Supervisor Kozakiewicz: "I'm told by counsel, we can go back to  
1137 and the note indicates in a rather long legal opinion fine as is.  
So- "

Councilwoman Sanders: "Good. Okay."

Supervisor Kozakiewicz: "Any further discussion on 1137? We're  
going to bounce back to 1137, Barbara."

Councilwoman Blass: "I do have one question. The special account that's being created to accept donations, who will be the- or what entity will be authorized to make recommendations as to the expenditure of those funds?"

Councilman Densieski: "The Advisory Committee will advise and the Town Board will have the final say on the expenditures."

Councilwoman Blass: "So it would be similar to the Recreation where they would- "

Councilman Densieski: "Exactly the same."

Councilwoman Blass: "Thank you."

Supervisor Kozakiewicz: "Any other discussion? Vote."

The Vote: "Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "Yeah. I'd like to thank the members of the Handicapped Committee for that. Yes."

The Vote (Cont'd.): "Lull."

Councilman Lull: "Yes. And I want to thank Ed for this work, but I do want to point out one thing in case anybody is listening. It is great that we're going to be having a handicapped equipment bank at the senior center and it's a very helpful thing. But most anybody who is in need should also recognize that many of the churches in town already have them in their cellars, in their attics and so forth. They have all kinds of equipment that can be either borrowed or leased. So that this is a good thing to do, there's not question about it for the town. Yes."

The Vote (Cont'd.): "Kozakiewicz, yes. The resolution is adopted."

Resolution #1141

Councilman Lull: "Accepts 5% performance bond of Mill Ponds Commons Development LLC. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."  
Resolution #1142

Councilwoman Sanders: "Accepts 5% security bond of Sound Housing LLC for building #7. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1143

Councilman Lull: "Move we table 1143."

Councilwoman Sanders: "Second."

Councilman Densieski: "Second to table."

Supervisor Kozakiewicz: "Moved and seconded to table. Vote, please."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is tabled."

Resolution #1144

Councilman Densieski: "Approves the site plan of Sisters Realty LLC. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz."

Supervisor Kozakiewicz: "Yes. Those who are watching this, Sisters Realty are Drs. Judy and Susan Emanuel who are looking to



relocate from their current facility to a larger 3,000 square foot facility medical building on East Main Street. And the architecturals are pretty nice on this one. Yes."

Barbara Grattan:     "The resolution is adopted."  
Resolution #1145

Councilman Densieski:     "Amends the site plan of Bank of Smithtown branch for Wading River Plaza. So moved."

Councilman Lull:     "Second."

Supervisor Kozakiewicz:     "Moved and seconded."

The Vote:     "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1146

Councilwoman Sanders:     "Mr. Supervisor, there was discussion before you arrived regarding whether we even need this-- to pass this particular resolution so I was going to make a motion that we- should we table it, move it or- town budget public notice is for what?"

Councilman Densieski:     "I thought Dawn- "

Supervisor Kozakiewicz:     "As recited in the resolution- "

Councilman Densieski:     "Why don't we do it?"

Councilwoman Sanders:     "Right."

Supervisor Kozakiewicz:     "-- there was a case that was decided by the Court of Appeals which is the highest court of the state of New York that has suggested that when you deal with special districts and you fail to provide notice, you do so at fairly large consequences. And I think the idea here in light of the fact that our budget is such that it includes a number of special districts within it, we would be better off doing this in order to stave off any challenges.

Now, as an aside, I don't know if I made it part of your packet but I had been provided a copy of a notice that is done by the Town of Huntington that was provided to me courtesy of our own Vince Tria as to notices that are given when they have special district of 202-B

hearings. And they do send out a little bit of a card in order to comply with what seems to be the intent of that case.

So I guess the question is pay a little bit now; pay a lot later. That old famous (inaudible) commercial. So, but it's something that I think Willke Farr, the bond counsel, has rendered an opinion which I believe was made part of the package and his opinion was that it would be good practice to continue giving notice and that certainly cannot be disputed. That's what he indicated on page 2 and that was the opinion of Thomas Rothman.

So, if the Board is of the mind set that they don't want to do it, you can table it. If you table it, there's no discussion. Just move to table it and we'll deal with the consequences. Or we can move forward."

Councilman Densieski: "Well."

Councilwoman Blass: "Do we- I was just going to ask. Do we have an idea of what mailing like this costs?"

Councilman Densieski: "Yeah, between 7 and \$10,000 if I remember correctly from last year. And I believe we got a split decision on whether we have to do it or not. It might be good practice, but I think it would be good practice to save the 10 grand.

Some of the notices we sent out for a public hearing went out of the country last year. Personally I don't think we have to do this. Post it in the official newspaper of the town, save the 10 grand. That would be my vote."

Supervisor Kozakiewicz: "Counsel?"

Scott DeSimone: "I researched this issue and I think you should table this so I could do a little more research but it's my opinion that we do not have to do this and this is a waste of taxpayers money."

Supervisor Kozakiewicz: "Is there a motion?"

Councilwoman Sanders: "Motion to table."

Scott DeSimone: "I would table it subject to further review."

Councilman Lull: "I'll second."

Councilwoman Blass: "I'll second- I'm sorry."

Supervisor Kozakiewicz: "Moved and seconded to table. Vote, please."

The Vote: "Sanders."

Councilwoman Sanders: "Yes, to table."

The Vote (Cont'd.): "Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz."

Supervisor Kozakiewicz: "Yes, to table."

Barbara Grattan: "5 yes."

Supervisor Kozakiewicz: "Understand we've got to bring this back up fairly quickly. All right."

Barbara Grattan: "The resolution is tabled."

Resolution #1147

Councilwoman Sanders: "Approves submission of abstinence education and promotion initiative grant proposal. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1148

Councilwoman Blass: "This is a resolution authorizing the issuance of \$13,000 in serial bonds of the Town of Riverhead, Suffolk County, New York to pay additional costs of the preparation of a facility planned for the Calverton Sewer District's proposed advanced wastewater treatment facility. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1149

Councilman Lull: "Is a budget adjustment on the Rienzo Farmland Preservation fund. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1150

Councilwoman Blass: "This resolution appoints Sherri Dugan as a Public Safety Dispatcher I. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1151

Councilwoman Blass: "This resolution is a budget adjustment in connection with Reeves Golf water extension. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1152

Councilman Densieski: "This is the Krupski Farmland Preservation budget adjustment. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1153

Councilwoman Sanders: "2003 recreation capital improvement budget adjustment. This resolution was prepared originally with the Stotzky Park improvement which there was a question on and it has since been removed from the resolution. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1154

Councilman Lull: "Approves the submission of the New York State Division of Criminal Justice formula grant proposal. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1155

Councilman Densieski: "Schneider Vineyard land preservation project budget adjustment. So moved."

Supervisor Kozakiewicz: "Is there a second?"

Councilwoman Sanders: "I'm thinking about it. One second."

Supervisor Kozakiewicz: "Discussion? None? Vote."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz."

Supervisor Kozakiewicz: "I walked in late so I understand there's some questions on this one? Okay, yeah, as I understand it and I don't have it fully detailed. I understand there was a question raised by the audience, by members of the public, why these resolutions were on.

It's my understanding that these purchases which took place under a prior administration had been done with the idea that there would be New York State aid involved and anticipated New York State aid being involved. In some instances the purchases took place before the New York State aid was approved and as such, that New York State aid could not be utilized. In others there was some other deficiencies which prevent the state from granting or allowing the money to be used.

As indicated, this was- these were acquisitions, this is Schneider, Zaweski/Zilnicki, Cal Hollow which is the (inaudible) Farm, and North Fork Preserve which is Krudop which was purchased before this administration took office.

So I vote yes to make the change in the budget adjustment as set forth by 1155."

Barbara Grattan: "The resolution is adopted."

Resolution #1156, #1157, #1158

Councilwoman Sanders: "Well, if you want to- would you- would there be any objection then to move 1156, 1157 and 1158 which basically do the same thing?"

Supervisor Kozakiewicz: "Not by myself. No objection? Moved and- is there a second?"

Councilwoman Blass: "Yes."

Supervisor Kozakiewicz: "Okay. Vote, please."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. Those resolutions are adopted."

Resolution #1159

Councilwoman Blass: "This resolution appoints Eileen Belfield to the position of a part time recreation aide in the Recreation Department. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1160

Councilman Lull: "Resolution amending the bond resolution dated January 22, 2003 with respect to the maximum estimated cost of the reconstruction of the town owned building at 201 Howell Avenue. That's across the street, the old senior center, Riverhead, New York, for use as a Town Hall annex and amount of obligations to be issued therefor. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded. Discussion? Vote, please."

The Vote: "Sanders, yes; Blass, yes; Densieski, no."

Barbara Grattan: "Is that a no?"

Councilman Densieski: "No."

The Vote (Cont'd.): "Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1161

Councilman Lull: "Approves the request for extension of medical leave of absence. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1162

Barbara Grattan: "Resolution #1162, Councilwoman Sanders."

Supervisor Kozakiewicz: "We did it. Remember we did 1162 and 1163. So we're going to jump to 1164."

Resolution #1164

Councilman Densieski: "This is scheduling a public hearing pursuant to Article 12 of the New York State Town Law to declare certain premises as not required for purposes of the Riverhead public parking improvement district #1 and authorizing the sale thereof to Suffolk Theater Enterprises, Inc. pursuant to the Town of Riverhead's East Main Street urban renewal plan adopted October 19, 1993, and the petition of the Suffolk Theater Enterprises, Inc. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1165

(Some inaudible discussion)

Supervisor Kozakiewicz: "All right. So, I got- we've got an easy solution. The- we'll add to that instead of as described below, as why don't we amend that, as more particularly shown on the map of Joseph A. Ingegno Land Surveyor dated March 18, 1003 which has been filed with the Town Board. Good. All right. And we should attach that survey (inaudible)."

Barbara Grattan: "Where are you putting all this?"



Supervisor Kozakiewicz: "We should- the- this is why, you know, when we have a discussion period for this. What we're going to do is on the public notice, with regard to declaring the property described, we're going to say- no, we're going to say, it's going to have to say, with regard to the premises- I'm sorry, I'm trying to work this out because it's legalese- declaring the premises described and as more particularly- "

Councilwoman Blass: "Depicted on the map- "

Supervisor Kozakiewicz: "Who did this resolution?"

Councilwoman Blass: "-- on the map of. Right?"

Supervisor Kozakiewicz: "Who did this resolution?"

Councilwoman Blass: "Put it right there."

Supervisor Kozakiewicz: "No. What it should say is described as- no, described as- oh, you're right."

Councilwoman Blass: More particularly shown on- "

Supervisor Kozakiewicz: "On the map of Joseph A. Ingegno Land Surveyor dated March 18, 2003. All right, where were we with the vote, Barbara? Because I got distracted by Sal."

Barbara Grattan: "Well, we already had that resolution as adopted. Okay, and then he mentioned this."

Supervisor Kozakiewicz: "All right. All right. Well, we were still on it, so I wasn't here when you made the comment, Sal. I'm sorry. If I had been I would have went and scratched it up and re-did it. All right. Yup. Well, motion to reconsider. Let's do it that way. Make it exact because- "

Barbara Grattan: "Okay, who's going to do that motion to reconsider, Barbara?"

Councilwoman Blass: "Right."

Councilwoman Sanders: "Second."

Supervisor Kozakiewicz: "Okay. Vote on the motion to reconsider, please."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. 5 yes to reconsider."

Supervisor Kozakiewicz: "Okay. And it's on the floor and is there a motion to amend?"

Councilwoman Blass: "Motion to amend."

Supervisor Kozakiewicz: "And the motion to amend is to change the public notice and to indicate where it says described below instead as described on the map of Joseph A. Ingegno, Land Surveyor comma dated March 18, 2003 which has been filed with the Town Board."

Barbara Grattan: "Do you have that written down there, sir?"

Supervisor Kozakiewicz: "It's on the front page so I'll give it to you. All right. Is there a second to make that amendment?"

Councilwoman Sanders: "Second."

Councilman Densieski: "Second."

Supervisor Kozakiewicz: "Okay. Now the vote on the amendment."

The Vote: "Blass, yes; Sanders, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes."

Supervisor Kozakiewicz: "And now finally. We're actually voting on the resolution, not the public notice, but anyway, finally the vote as moved and amended."

Councilman Densieski: "I'd like to move it for the second or third time. 1164 to move it as amended."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "Considering all the new information input, I will vote yes."

The Vote (Cont'd.): "Lull, yes; Kozakiewicz, yes. That resolution is finally adopted."

Resolution #1165

Councilman Densieski: "Approves a temporary sign permit of Fresh Pond Marketplace. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1166

Councilwoman Sanders: "Approves the application of Abbess Farm, Ltd. for pumpkin picking. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1167

Councilman Densieski: "Awards a bid for the Riverhead Water District Extension #56B, for Sunken Pond Estates, Section 3. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1168, #1169, #1170

Councilman Lull: "Ratifies the appointment of Kenneth Drumm as a softball league attendant to the Riverhead Recreation Department."

So moved."

Councilwoman Blass: "Councilman Lull, you may want to consider perhaps moving the next two as well. They are all- "

Supervisor Kozakiewicz: "All softball attendants."

Councilwoman Blass: "That's correct."

Councilman Lull: "Okay, so 1168, 1169 for John Kubacka and 1170 for James Marengo, all the same job, softball attendant. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolutions are adopted."

Resolution #1171

Councilman Lull: "Sorry. 1171, right. 1171 I don't have. 1171 grants petition of Peter S. Danowski, Esq. for professional offices. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

Councilwoman Blass: "Discussion."

Supervisor Kozakiewicz: "Discussion."

Councilwoman Blass: "I think this resolution is just providing counsel with an explanation or with a verification- "

Supervisor Kozakiewicz: "Yeah, we have that kind of crazy language in that zoning district that describes all those different professional offices and then at the very, very end we have a catchall phrase that says any other use as passed by resolution of the Town Board.

About three months ago, maybe longer, counsel had two uses, one which was the learning center and the real estate office which is the

office complex up in Wading River and had asked us to make a determination in accordance with the zoning. So that's what this resolution is for."

Councilwoman Blass: "I just- I understand the purpose of it. I think, however, the title is misleading because we're not granting him a petition. It appears as though he has requested and filed a petition to have professional offices approved is the way I'm reading this. And I think he's just asking for an interpretation as to whether retail, excuse me, real estate offices and learning centers are considered professional offices."

Supervisor Kozakiewicz: "So you'd like to amend the title of the resolution?"

Councilwoman Blass: "I just- I wondered why it had to take this form to begin with. Did we not have an opportunity to get an interpretation perhaps from- "

Supervisor Kozakiewicz: "No, because the problem is the statute doesn't have an interpretation aspect. What it provides for is- and I can go get the code book if we need to, but the language in that particular zoning district sets forth I think it's 20, 15 different uses and then at the very end it has a catchall phrase for- which allows for professional type of offices by the action of the Town Board as opposed to an interpretation of the Zoning Board of Appeals.

And on this particular one there's a letter submitted to us. I think he also appeared before the Town Board at a work session and said I'm in a quandary. I have the letter on my desk- the original letters and the statute if you need it."

Scott DeSimone: "Just basically what I'm seeing here still makes me wonder whether this Board has jurisdiction to make such a determination and whether this is, in fact, within the jurisdiction of the Zoning Board of Appeals. Because they are making an- he's asking for an interpretation of what the code says."

Peter Danowski: "I might interject- just for Scott's sake- "

Supervisor Kozakiewicz: "I'll tell you what we'll do to resolve this. Scott, Mr. Danowski, go get the code book, look at the statute, the letter you sent, and then Scott render a determination to us."

Peter Danowski: "That's not a problem."

Supervisor Kozakiewicz: "How about that for an idea? All right. Okay. Let's go to 1172."

Resolution #1172

Councilman Densieski: "1172 accepts a complete- accepts as complete the final generic environmental impact statement supporting the draft comprehensive plan- "

Supervisor Kozakiewicz: "We had a- this is highly unregular. T here must be something in the air tonight. Now we have another individual who wishes to address us and we've already had our comment period for- come on up, Rob. We might as well- we'll be here 'til midnight tonight. I can see it already. I sense it. I'm sure we're doing something wrong."

Robert Pike: "I actually- you're doing something partially right. And I'm here to support that."

Supervisor Kozakiewicz: "Oh, good."

Robert Pike: "And I want to share with you a story that- first of all, I'm entirely in favor of you adopting this resolution. I did not have an opportunity to speak before the recess and I would like to take advantage of that now.

I want to give you some context here because in my last year as a town councilman, I, too, had a master plan coming before the Town Board right near election time. And it was effectively delayed past election day by the critical path of logistics of SEQRA and while I am happy that you are adopting this, and assuming that Mr. Emilita's work is as professional in the present as it has in the past, I believe you have a unique opportunity here that the vote on the master plan itself should be taken before election day.

You have a 10 day window of opportunity- waiting period. That would move the opportunity- the window of opportunity back to a week from Friday which is in my opinion a good government thing to do. I believe that you should be given what I was denied, an opportunity to vote yea or nay on the master plan revision before election day.

Let me tell you why in my case it worked rather disastrously

because when the vote came up just to have the vote itself we had a mover, a seconder who was in the room and three abstentions. I commented I believe in Newsday that the names Janoski, Bischetti (phonetic) and Lombardi were not going to appear in the next edition of Profiles in Courage.

There is something galvanizing about having to be responsible for the consequences of your actions. There is something, I think, right about Councilman Lull being able to vote on this before election day even though it doesn't cost him or gain him a thing. But I believe that Councilman Densieski and the Supervisor should be given the opportunity to vote yea or nay on something that all of us have worked on it.

I have to the best of my ability over the last 10 years tried to be (1) largely uninvolved, and (2) to the extent that I have been involved as non-partisan as I could on numerous issues and I'm asking you as a citizen of Riverhead to now schedule- not only to pass this, but to schedule as you have the legal right to do and the legal opportunity to do, a meeting of the Town Board on Friday, a week from Friday, 10 days after this vote, to adopt yea or nay the master plan for the Town of Riverhead, thereby giving yourself the opportunity this man was denied to make history, to make Riverhead a more valuable place to live in, and to get on with the business of good government."

Supervisor Kozakiewicz: "Thank you, Rob. Actually I got a little bit of grief today from somebody who said why isn't this happening. I said this is something I want to see happen from a positive- from the manner in which I talked about with the planner and if the Board agrees, we'll have a special meeting since the time allows. So thank you for your comments.

While we're at it, any other comments on 1172?"

Councilwoman Blass: "Just one correction, Mr. Supervisor. The document is dated October 21<sup>st</sup> not June 20, 2003. I think the draft was- in the final Whereas clause, the FEIS as prepared by David Emilita dated October 21<sup>st</sup>. I believe that's the only correction."

Supervisor Kozakiewicz: "Okay. Vote, please."

Councilman Densieski: "I didn't even finish reading it. Would you like me to read it?"

Councilwoman Blass: "Yes."

Councilman Densieski: "Thank you. Unless you want anybody else to speak, I'll read it. Thank you."

Supervisor Kozakiewicz: "It must be something in the air tonight."

Councilman Densieski: "Accepts as complete the final generic impact statement supporting the draft comprehensive plan of the town of Riverhead. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass."

Councilwoman Blass: "Yes. I support this and I would also support having a special meeting to adopt the master plan as soon as practicable under the law."

The Vote (Cont'd.): "Densieski, yes; Lull, yes; Kozakiewicz."

Supervisor Kozakiewicz: "I agree wholeheartedly with my colleagues. A little explanation of what we're doing here. Rather than simply declaring the generic environmental impact statement going the neg dec path, what we're doing is going the other way so that we can go to a final conclusion on the comprehensive plan. And I would support putting it on for a special board meeting as well so we can address the master plan before election day as per the comments so well put by former Councilman Rob Pike.

I vote yes for the resolution that's before us."

Barbara Grattan: "That resolution is adopted."

Supervisor Kozakiewicz: "We have to go backward now to- "

(Inaudible - from the audience)

Supervisor Kozakiewicz: "This- you can get up during the open comment period and address us, sir. This is taking up resolutions. 1171. Yeah, because we had an open question. This is the one- why



don't we just call it grants written application made by Peter S. Danowski under- you want to just change the title, right? The problem is the petition- you said the word petition."

Barbara Grattan: "Okay. What is it going to be? Grants written application- "

Supervisor Kozakiewicz: "-- of Peter S. Danowski- "

Councilwoman Blass: "Grants determination as to whether real estate offices and learning centers are professional offices within the multi family professional office zoning use district."

Supervisor Kozakiewicz: "Right. So the title will change. The rest of the resolution will stay the same. I know, Barbara, we're giving you the willies tonight. It's one of those nights. Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. That resolution is adopted."

#### Resolution #1173

Barbara Grattan: "Now we've got 1173, okay, which is pay bills."

Supervisor Kozakiewicz: "Is there a motion?"

Councilman Densieski: "Motion to pay bills."

Supervisor Kozakiewicz: "Is there a second?"

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. That resolution is adopted."

#### Resolution #1174

Councilman Lull: "Establishing sewer rent. So moved."

Supervisor Kozakiewicz: "Is there a second?"

Councilwoman Sanders: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. That resolution is adopted."

Supervisor Kozakiewicz: "Any other resolutions?"

Barbara Grattan: "Did you have a question on that one?"

Councilman Densieski: "Yeah. Next meeting there will be a couple."

Barbara Grattan: "Okay."

Supervisor Kozakiewicz: "All right. No further resolutions? Thank you. Thank you. All right, at this point in time, the open comment period has arrived. You have five minutes to comment. The time is 9:34, Rex Farr."

Rex Farr: "Rex Farr, President of the Greater Calverton Civic Association. I'm here to introduce a letter to the Town Board pertaining to the density issue. This is the third letter that we're going to submit. I think it's even antiquated because it deals with the 400 acres and the five units per acre which has already been taken off but for the record, I would like to read the letter again.

We are very concerned about the density issue. I know in the last two debates everybody has said that the wealth should be spread and so on so this is a point to be discussed further.

Dear Town Board: The Greater Calverton Civic Association, Inc. is writing again to voice their opposition to the stakeholder's plan for high density housing in Calverton. The plan to put five units on 400 acres is not fair to the taxpayers of Riverhead or to the residents of Calverton.

No one town should have to shoulder the burden. The towns of Southold and Southampton should also be receiving part of this high density acreage and once divided no one area should be targeted for high density.

The services needed for each unit would far exceed the tax dollars generated by each unit. Our taxes that are already high would be pushed even higher because of the additional services needed for school as well as for infrastructure and many families would be forced to leave not being able to afford the taxes.

Traffic which is a major problem already would really become horrendous. Edwards Avenue and Route 25 are heavily traveled now. What would they be like with an additional 4,000 cars thrown into the rush hour traffic? This is not what we want for our area or for the taxpayers of Riverhead. High density wouldn't affect- high density would affect Calverton the most. The rest of Riverhead would feel the affects also.

So, again, it's the density issue that we're concerned about."

Supervisor Kozakiewicz: "Thank you. I have two cards which I am- I didn't realize were submitted. Rolf Koesling. Rob Pike, you didn't have to hit that person."

Rolf Koesling: "Rolf Koesling, Wading River. Just got a (inaudible) thing. About two years ago you said we'd have a better website."

Supervisor Kozakiewicz: "It is."

Rolf Koesling: "Yeah. Well, on- we pulled down the public hearings Friday night. There were only two public hearings- "

Supervisor Kozakiewicz: "And there's three on today. Same thing happened to us last meeting. We had the special board meeting which called for the public hearing and somebody failed to get it onto the website. Same thing happened because of the special board meeting."

Rolf Koesling: "Well it always goes back to the same argument. What's going on? You come to public meetings and you don't know what's going to be."

Supervisor Kozakiewicz: "Well, to be fair, there is a public notice in the paper. The official newspaper has all the notices as well as the notice that's put up in the Town Clerk's Office."

Rolf Koesling: "But a lot of people don't subscribe to those papers."

Supervisor Kozakiewicz: "It's in the Town Clerk's Office."

Rolf Koesling: "Why can't the town code be on the web?"

Supervisor Kozakiewicz: "It is."

Councilman Densieski: "It is."

Supervisor Kozakiewicz: "It is."

Rolf Koesling: "Couldn't pick it up. What- "

Councilwoman Blass: "In the Town Clerk's- "

Supervisor Kozakiewicz: "It's right on the home page."

Rolf Koesling: "Home page? Okay."

Scott DeSimone: "I'll also direct you to a website of General Code Publishers and they have on line available just about every town code on Long Island and it's probably more update than the one we have on our website because as they put the new local laws on, it gets on their before it even gets on ours. So just do a google search for General Code Publishers. Go to E code and you will find ours and just about every other town code on Long Island."

Rolf Koesling: "Thank you."

Scott DeSimone: "You're welcome."

Councilman Densieski: "The other thing, Rolf, you can access from the Internet is any document in the building department, any application, any permit you need, you can access from the building department."

Rolf Koesling: "Okay. I'm going to try it or my assistant will try it."

I had a little discussion with Barbara just before the meeting and the sign out in the hall about the notary, the town notary will not notarize anyone's papers if they don't call for a notary, it hasn't anything to do with town business. I was a notary for quite a number of years and one of the first things I learned was anybody

comes to you and wants you to notarize a paper, you better notarize it. I don't think that's correct. Any comment?"

Supervisor Kozakiewicz: "As I understand it, anyone who is a notary can choose who they notarize signatures for. In fact, there's a very strict code of what somebody should do as far as keeping notaries, you're supposed to have a notary book, a record, so that if you are ever down the road called to question on it, you keep it. So I mean a person who is a notary has the prerogative so say no, I choose not to notarize your document.

I would equate it to a lawyer who has a visit from a client or from a prospective client who chooses not to take that person as a client. A notary has that right or discretion."

Rolf Koesling: "Then they must have changed in the last few years. I mean I dropped out a couple years ago but I know if people had the correct identification, this was for people- like I say do you swear you're the person I'm talking to, you know, joking around there, I would notarize it. But here you're telling people that want to come and get something notarized, you don't have to do it. I don't think it's right. Okay. Case closed."

Supervisor Kozakiewicz: "Thank you. Ann Vento."

Ann Vento: "Good evening. I'm Ann Vento and my husband is here with me and we're here on an important matter to us.

We are local people who have lived and had a business in this area for 40 years. My daughter lives and has worked as a school teacher for 23 years.

We purchased the property in Wading River in 1987 and started working on plans with partners. Then they- then the moratorium went into effect which changed and altered our plans considerably.

The findings of the Wading River hamlet study reduced 80% of the commercially zoned property which was adopted in 1989. We preserved- we persevered continually to get plans for a shopping area approved.

Due to zoning and design changes, it was very costly in time and money to keep the project going. Therefore, it had to be abandoned and our partners went into foreclosure.

The taxes have almost doubled in this period of time causing us much financial loss.

In the past as well as in the future, we will work diligently with the town Planning Board to get a project off the ground.

We honestly believe the residents of Wading River deserve upscale goods and services in their own neighborhood. Presently there is an inadequate amount of retail per capita in this area. Your proposed zone change of building size, would be detrimental to the community in years to come allowing a monopoly for King Kullen and CVS. Also creating a loss of residual value for commercial property in Wading River and a substantial loss of tax revenue for the homeowners in Wading River township.

Fifteen years of hard work and our life savings have been to no avail. To overturn the hamlet study and alter the present country rural zoning and place another long term moratorium is unjust. And we feel that you should consider this in my opinion. Thank you very much."

Councilman Densieski: "Thank you."

Supervisor Kozakiewicz: "Thank you. Okay, that's it for the cards. Anybody else who would like to address the Board? Mark Hereney.

You have a letter, Mrs. Vento, that you read from? Can we get a copy of that so we can make sure because there was a question raised as to whether your voice was high enough to be audible so that we can transcribe the record. All right."

Barbara Grattan: "You have the letter? I'll come get it."

Supervisor Kozakiewicz: "Thank you. And you'll run a copy of it off, Barbara?"

Barbara Grattan: "Yes."

Supervisor Kozakiewicz: "Good girl."

Mark Hereney: "Mark Hereney (phonetic), Riverhead resident. It's been a little bit past four weeks after the air show and what I'd like to know is after all the money that was spent to cut the grass and do the fencing and pave the runway and patch it, has that been

paid back and what about the police protection of \$76,000?"

Supervisor Kozakiewicz: "Under the terms of the agreement, we- there has been a promise made to pay us back. Under the terms of the agreement, they have 45 days from the agreement to pay us. We have the \$20,000 still on retainer."

Councilman Densieski: "I know some things have been paid, Bob."

Supervisor Kozakiewicz: "And some things have been paid."

Mark Hereney: "So you're saying all the money will be paid and all the outlay that the town did for the air show."

Supervisor Kozakiewicz: "As far as the town's costs, that's what's been represented to us."

Mark Hereney: "Okay, thank you."

Supervisor Kozakiewicz: "You're welcome. Anybody else would like to address the- Bill, you've had your hand up twice. So, Bill Kasperovich."

William Kasperovich: "William Kasperovich from Wading River. I have several points, items, that I'd like to bring forth but I don't think that I can do it in five minutes, so I think what I'll cover is the first that has the least allowance of time."

Mr. Kwasna, Highway Superintendent, tells me that the Wildwood Acres area roads will be paved before October is out. And inquiring around and including town engineer Testa, I don't see that the Highway Department can or has any intentions of correcting or improving the road drainage before that time. And until the drainage is complete, there's no point in paving because we just have to dig it up again. And the establishment of the level of the collection grates have to be done with the installation of the drainage basins for grates.

Now, I continually talk about in front of my driveway where I live. As we approach this weather, freezing, before the water can run off to the neighbor's property, it ices over. And the comment I would get about what we can do about this wet spot, is we'll get to it; we'll get to it. Well, if you're going to pave before October is out, there's no time to get to it. And there's no point- unless there's a contract been signed and sealed, there's no point in paving until every bad spot is taken care of.

We have one spot where last March a man drove into it and the water was deep enough to run through, above his floor board. And the car sat in the puddle that deep. Now nothing has been done about that particular spot. Now, nobody can say that we won't have the same weather conditions that we had at that point. So, I don't know where I stand in information.

I can't interpret Mr. Kwasna's comments because they vary every time I talk to him. I know he has good intentions and wants to get something good done in the neighborhood but you don't have to be a road engineer to know that before you pave, you get the drainage done.

And we could- we've lived with the condition of the roads, the surfacing, until now, we can certainly go another year if they have to use the surfacing money to take care of the drainage.

And the other point is we have- in any work done by the town, we have never come back to the original surveyor who was the old man Young, to designate one or the other side of the road. We didn't have any surveying done at any time and when the water layout came to be, we had no surveying done then and some of the as built prints by H2M proved to be incorrect. It cost the town a lot of money, a lot of money in the sense of unnecessary money. So at no time did we have the survey work to show the one or the other side or both of the right of way-

Supervisor Kozakiewicz: "Thank you, Bill."

William Kasperovich: "-- and we've been without this designation for a long time."

Supervisor Kozakiewicz: "Okay, I do have to ask you to sum up. I know I've got some other speakers. It's been five minutes, Bill, thank you."

William Kasperovich: "Can I finish- "

Supervisor Kozakiewicz: "Yes, that's why I'm asking you to sum up. Thank you."

William Kasperovich: "Okay. Mr. Kwasna's statement was we'll follow the path of the existing blacktop is there now unquote, meaning he's not going to do any surveying or get any surveying done or remedy any wrong position or irregular position of the road surface itself."



Consequently we'll end up in all aspects of what I'm talking about with the low grade job that will leave a lot of work undone that will catch up to us and like the man who was sitting in a puddle of water that ran into his car when he got out of- without any remedy."

Supervisor Kozakiewicz: "Thank you, Bill. Thank you. Next speaker. I know I saw a couple hands up. Joan Griffin had hers up. Okay, Joan Griffin, please."

Joan Griffin: "Good evening, Joan Griffin. I promise to be quick. Three fast questions. The Oct. 30<sup>th</sup> meeting on the master plan. Is that 2:00 or 7:00?"

Supervisor Kozakiewicz: "I think the next speaker is going to tell us we shouldn't do it. I don't think it's actually decided. You're talking about the special board meeting?"

Joan Griffin: "Yeah."

Supervisor Kozakiewicz: "I think we're going to have to talk about that."

Joan Griffin: "Okay. Are the town board meetings that are recorded tonight still on Friday nights? I heard a rumor that they're not--"

Supervisor Kozakiewicz: "Yes."

Joan Griffin: "-- on Fridays anymore."

Supervisor Kozakiewicz: "I don't know where that rumor is unless somebody's preempted them. But they should be on."

Joan Griffin: "Okay. And- "

Supervisor Kozakiewicz: "There's no reason they shouldn't be on channel 22."

Joan Griffin: "Okay. And last question, I thought I read that the resolutions that are coming up for like tonight's meeting would be on the town website so we could see the resolutions."

Supervisor Kozakiewicz: "I think we have talked about that as a future improvement to the website. In fact, I know one of the things that we've talked about for a while is to try and do it inside the

building by internet or whatever you want to call it so that they can go directly from the department that does them ultimately to the Town Clerk's Office where they're in some way, shape form, because I don't understand it, a computer lock box if you will so they're secure and they stay there. So that's the ultimate plan."

Joan Griffin: "Okay. Thank you."

Supervisor Kozakiewicz: "Okay."

Walt Simmick: "I'm Walt Simmick (phonetic) from Jamesport. I think before you vote on a resolution about accepting the master plan, it behooves you to make the master plan as it currently exists with all the changes that have been going on, make it available for the public. Not a single copy out in the lobby, a half hour before the meeting, but make the copy available- "

Supervisor Kozakiewicz: "It's on the website already, is it not?"

Walt Simmick: "-- on the internet."

Supervisor Kozakiewicz: "I believe it is already."

Walt Simmick: "-- as- is this the final, with all the changes in it?"

Councilwoman Blass: "I think the revised chapters as well as the updated maps are on the web."

Supervisor Kozakiewicz: "That's my understanding. They're on the website already."

Councilwoman Blass: "I, myself, haven't checked but I was told."

Walt Simmick: "Are the changes to the changes- "

Councilwoman Blass: "Correct."

Walt Simmick: "-- all on there?"

Supervisor Kozakiewicz: "We'll have to go and surf that tomorrow but we'll verify that. But my understanding is it has been

already forwarded from Eric Roseman who's been assisting the planning director and it's gone directly to our internet provider to go on our website."

Walt Simmick: "Okay. So things like Jamesport park being called residential have been corrected and Eagle Chevrolet being a medical facility has been corrected or zoned medical? Actually, I mentioned these items to you, Barbara, during the races that were held a while back. I brought up a number of issues that were all- "

Councilwoman Blass: "During the races? I'm trying to- "

Supervisor Kozakiewicz: "The Eagle- are you talking about the-"

Walt Simmick: "The farmland, the Eagle Chevrolet."

Supervisor Kozakiewicz: "Eagle Chevrolet where it currently exists. It's envisioned to be rezoned to a use that would call out as one of the provided uses, medical offices. That was part of a discussion- "

Walt Simmick: "There are only two uses zoned there, medical and I think municipal offices. And to me that's a major mistake. I don't know how you come up with stuff like that. You're taking a farm, a Chevrolet dealer, a tire place and all of a sudden it's got this wild zoning on it. You're taking something, a town park, a recreation area, and you're zoning it residential. I hope that's been fixed."

Councilwoman Blass: "I don't know what particular town park you're talking about."

Walt Simmick: "Jamesport. The town beach- "

Councilwoman Blass: "What town park? What town beach in Jamesport is being rezoned?"

Walt Simmick: "The one on East Creek."

Supervisor Kozakiewicz: "South Jamesport Beach? Okay."

Walt Simmick: "Look at your master plan. It is labeled Residential A or Residential C, I forget now. But it's a park. It's a launch ramp, it's a marina. How can you, you know- what I'm getting at is there's a number of mistakes that I pointed out to you, Barbara,

on the current master plan, okay. I haven't looked to see whether they've been updated. As far as I knew they weren't updated on the web.

All I'm saying is, is if they're updated on the web there ought to be some sort of public announcement to the public that the latest plan with all the revisions is available for their review before you vote on it."

Supervisor Kozakiewicz: "Very good. Thank you."

Councilwoman Blass: "And it will be."

Walt Simmick: "So that people can look at it."

Councilwoman Blass: "And it will be."

Walt Simmick: "I was not aware that the latest revisions were there and I apologize. I did not know they were there."

Councilwoman Blass: "We will verify that it is our understanding that they're there. Thank you."

Supervisor Kozakiewicz: "Anybody else who wishes to, yes, sir, hand in the back, George. We'll leave you for last. Come on up. We'll save you as the finale as they say."

David Driscoll: "My name is David Driscoll. I'm a citizen of Calverton who just became informed several weeks ago that LIPA is planning on building a six acre substation within 1200 to 1300 feet from my home. The community as a whole, I've spoken with quite a few of them, and are quite concerned with the placement so close to our homes, so close to the schools, so close to Edwards Avenue, in the middle of the farm area there.

One thing that people are really outraged about is that as a community we pitched together and built the memorial to the World Trade Center and it's kind of ironic that most of us, I should say the first person that kind of contacted a few of us who then let other people know, found out on the way back from our little community parade on Sept. 11<sup>th</sup>.

So, we put together a petition, we started last Sunday and we have 1,020 names to submit against this proposal from throughout

Riverhead, from Wading River to Jamesport, say, so it's not just the community that we actually live in but the whole town as a whole is very concerned about this.

So, I don't know what the exact proper procedure is but I have the original document and I have a copy to (inaudible). I made 25 copies - "

Supervisor Kozakiewicz: "You have extra copies because as we've talked about, David, this is a matter that's before the Zoning Board of Appeals currently."

David Driscoll: "Right, I understand that."

Supervisor Kozakiewicz: "So your petition of protest in opposition should likewise be filed with the Zoning Board of Appeals since they're the body that has the received the actual approval process before it and they have a hearing this Thursday, the 23<sup>rd</sup> at 7:45 as a carryover."

David Driscoll: "Right. So that's why I'm not sure if I should be giving the originals to the Town Board today or to give them on Thursday, but I'm assuming I'll just give them today and save time."

Supervisor Kozakiewicz: "I think it would be better if we take a copy today because there is- "

Scott DeSimone: "I'm counsel to the Zoning Board so my suggestion is you come Thursday night, you bring your petitions- "

Supervisor Kozakiewicz: "Petitions, the originals."

Scott DeSimone: "-- to the Zoning Board. It is also my suggestion that you check with town code. There are numerous provisions relating to the granting of a special exception that LIPA must meet. It is my suggestion that you and others who are opposed to this application review those because they refer to in many instances how it's going to affect the neighborhood and the quality of life. And that you come and speak your piece to the zoning board on Thursday evening because that's where- "

David Driscoll: "Right. People are planning on doing that."

Scott DeSimone: "Okay, good."

Supervisor Kozakiewicz: "Good."

David Driscoll: "And that was kind of why I was here tonight was I've spoken with several of you or gotten letters back and as a whole it sounded like you also had concerns about it but I didn't hear from some of the other people on the Board and the community in general was kind of wondering how you felt about that. I don't know if you- am I allowed to ask a question?"

Supervisor Kozakiewicz: "No, but we- "

Councilman Densieski: "No, but we will anyway."

Supervisor Kozakiewicz: "We have had this practice where people ask questions of us as opposed to addressing us with concerns and I think I've already told you that I believe it's the wrong location, it's inappropriate. It should be in industrially or commercially zoned area and in agriculturally zoned or residentially zoned piece of land is inappropriate."

David Driscoll: "Right. And that's where some of the confusion comes in because we're not quite sure of what the zoning is because of the master plan not being set in stone now."

Supervisor Kozakiewicz: "Well, it's the zoning as it exists today."

David Driscoll: "Yes. Is what?"

Supervisor Kozakiewicz: "Ag."

David Driscoll: "Okay. Thank you."

Supervisor Kozakiewicz: "Right? Or is it Industrial?"

Scott DeSimone: "It's permitted in any zoning district."

Supervisor Kozakiewicz: "Well, I understand that. I understand that. I think- you're asking what the underlying zoning is. I think what counsel's statement is that under our zoning, is it 108-54- or 108-45, the particular catchall phrase that says when a public utility wishes to establish a use, it provides for in any zoning district, subject to the special exception. Scott, do you recall what section

it is in the code?"

Scott DeSimone: "Off the top of my head, I don't but that's exactly what the section says."

Supervisor Kozakiewicz: "Right. That it's allowed in any zoning district subject to the special exception as granted by the Zoning Board of Appeals."

David Driscoll: "Yeah. And one of our concerns, I'm sure you know over the years has been the O'Dell's house which is across the street from mine, has flooded many times. It seems that the town finally by putting in the sump and doing some other work, has mitigated the problems but they still do exist. But I think an additional concern is the drainage in the area. This last year, the water came right up to their home-- actually into their home again and I think, you know, there's another concern there with erosion and so we have actually quite a few concerns."

Councilman Densieski: "So do we."

Supervisor Kozakiewicz: "Okay, thank you."

David Driscoll: "Thank you."

Supervisor Kozakiewicz: "Anybody else who would like to address the Board? I know George you do, but before George gets up, anybody else? George, you're the finale. You've got four minutes and forty-five seconds now."

George Schmelzer: "I found out the other day that the Wild and Scenic Rivers Act forbids residential zoning within their area. Looked that up with Rick and in Calverton, we've got land between the expressway and the railroad, you zoned it residential. So what are you going to do about that? There's a conflict of law there."

Councilwoman Blass: "I think the WSR, I thought it allowed for residential use at a very reduced density."

George Schmelzer: "I don't know, maybe they've got different words for different people. I don't know. So, now this- I heard you're giving the Weeping Willow Motel a hard time because their cesspools might leach into the river where nobody swims. But if the cesspools on Peconic Bay Blvd. leach into the bay where everybody swims, oh, that's okay. See the difference? How about it?"

Supervisor Kozakiewicz: "That's why it's part of the Peconic Estuary, so that it does make a difference.

Going back to your prior comment about residential in the Wild Scenic Rivers, I tend to agree with Councilwoman Blass because I know that there was a particular application that came before the town, whether it was Town Board or Planning Board, I can't recall, and that was Olin Warner's (phonetic) piece where he was, in fact, allowed to file and receive approval for a plan that showed residential units. I think they were duplexes if I was right on his 30 something acres of land."

George Schmelzer: "They paid him off a few hundred thousand dollars so he's silent now. I don't get any money."

Supervisor Kozakiewicz: "He got his residential used and I think the distinction is whether it's in the Wild Recreation or scenic portions is what you have to look at because each of those sections of that state law have different distinctions on the amount of use that can be provided for. You know, wild, obviously there's a presumption that- "

George Schmelzer: "What is it then? Is it wild or just scenic?"

Supervisor Kozakiewicz: "Well, since you live down there, I would- no, I'm not going to say it."

George Schmelzer: "I can make- or does it change at every turn in the river? Really. It doesn't make sense. They want you to pay taxes but tell you what to use. You can't use it, that's your hard luck, huh? Some system. Like a bunch of Commies. Well, I think this pollution is rotting some of you people's minds in the town here. They want this stuff, they want to control everybody's land but their own. If they come in, don't like it, I tell then why don't they set a good example by knocking their house down, filling in the hole, plant grass and give it to the town for preservation. Then they'd be practicing what they preach. Yeah. How much more time I've got?"

Supervisor Kozakiewicz: "I don't know. Because I got really distracted on the Wild Scenic Rivers discussion. We'll give you another minute, George. Go for it."



George Schmelzer: "I don't know if it's wild or scenic. Really. Now, don't nobody- what did you say?"

Councilwoman Blass: "George, there is a map that is in the Planning Department and, in fact, it's going to be a layer on the GEIS so that we can all, you know, retrieve it on our own computers, but it would give you a clear understanding which parts of the WSR- "

George Schmelzer: "You make these designations on the master plan map- "

Councilwoman Blass: "That's a state designation, George."

George Schmelzer: "Who did you ask? Did you ever ask any of the owners what they want?"

Councilwoman Blass: "George, that's a state designation. That was not- "

Supervisor Kozakiewicz: "I think Councilwoman Blass' point is that the last time I checked, we don't vote on the Wild Scenic Rivers designations. I think that's what the point is, right?"

George Schmelzer: "I mean when you make up this master plan, the nonsense on there, whose advice did you take? Did you ever ask the owners what they want?"

Supervisor Kozakiewicz: "We had two public hearings a few months back. There was two public hearings- "

George Schmelzer: "I'm not asking about public hearings."

Supervisor Kozakiewicz: "Well, the owners had a right to respond. So my answer is in response to you. You asked a question and I'm trying to give you an answer. We took in letters from the owners, we also had many, many work sessions here at the Town Board. The Planning Board had two public hearings, both in November of 2002. We had public hearings. So the answer, I think is that we tried, everybody can differ on it at the end of the day."

George Schmelzer: "You didn't answer my question. You- "

Supervisor Kozakiewicz: "Yes. Simple. Yes."

George Schmelzer: "You're giving an answer like a lawyer."

Supervisor Kozakiewicz: "Yes then. Yes."

George Schmelzer: "You didn't ask anybody on River Road here what they want."

Supervisor Kozakiewicz: "You just asked if we took the opinion. We didn't say we followed it."

George Schmelzer: "Do you know what you followed even?"

Supervisor Kozakiewicz: "I'm going to ask you to wrap up, George. You were the finale."

George Schmelzer: "Yeah, well, if I said what I wanted to say--"

Supervisor Kozakiewicz: "We don't want you to say that because then you'd probably be using language that would have to be cut from the tape."

George Schmelzer: "If you want to keep people from moving in, Riverhead town, all you'd have to do is encourage them-- the farmers to raise pigs. They stink. And then these people, they'd move out fast. See. Or if you have this, what do you have, three different zoning categories now? A half acre, two acres, and one acre for this master plan."

Supervisor Kozakiewicz: "George, are you summed up?"

George Schmelzer: "Well, I want to ask you--"

Supervisor Kozakiewicz: "Because if you are, I think we're going to--"

George Schmelzer: "Sum up. Now, you've got them separated. If you allowed them to be mixed in one area."

Supervisor Kozakiewicz: "George, you know what the master plan says--"

George Schmelzer: "I don't know. You don't know yourself sometimes."

Supervisor Kozakiewicz: "The comprehensive plan is on the website. We've read it. Any other questions?"

George Schmelzer: "Yeah. If you keep these various three acreage designations separate, you're promoting economic segregation."

Supervisor Kozakiewicz: "Thank you, George."

George Schmelzer: "Huh?"

Supervisor Kozakiewicz: "Thank you."

George Schmelzer: "You're welcome."

Supervisor Kozakiewicz: "Have a good night."

George Schmelzer: "Yeah. I hope I can get out to the car."

Meeting adjourned: 10:15 p.m.